

M. J. Foster





QUEEN MARY.

Art. Repro. C.

See Article 'Some Portraits at the Society of Antiquaries.'

THE ANCESTOR

A Quarterly Review of County and
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and Antiquities

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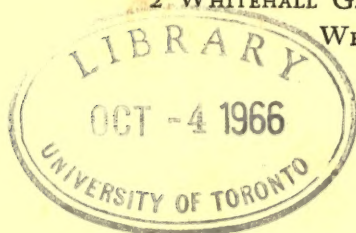
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[For want of space the instalments of the *Genealogist's Calendar of Chancery Suits* and the
Fifteenth Century Book of Arms and several articles and reviews are held over.]

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THE MANOR HOUSE AT SHERE.
1903.

THE BRAYS OF SHERE

THE home counties, the counties which lie round about London, are not rich in families of ancient settlement. One reason for this is not far to seek. The great city lying within a day or two days' journey of the squire's ambling nag was a golden net spread for that prodigal who perches sooner or later in every man's family tree. In far Cumberland or Somerset the prodigal might drink and drink again, race his horses, and be a scandal to the villages round for his loose living, but after him the estate came to the heir little the worse for the violent follies which at the worst had vatted an out-lying farm into strong ale, or changed a mill into portions for half a dozen misbegotten kinsmen. But in the London court and the London taverns the knight and the squire from Surrey, Berkshire or Essex, moved amongst imminent dangers. The reckoning for a Cheapside tavern supper might be set against forty bouts in the alehouse up the lane, and where sixpence at home fell to a stroke at shovel-board a manor might go with a cast of cogged London dice. Here were tailors tempting the countryman with peacock splendours, jewellers beside whose wares the squire's silver chain seemed a mean thing to clasp about a gentleman's neck, and ladies whose favour's price was more than the bunch of ribbons which was enough to turn a country girl's head. Therefore, in our own day, Cornwall and Cheshire, Yorkshire and Shropshire have many old families still at home on their acres ; but few Essex families can show a pedigree to the Restoration, Berkshire has but one squire's family of any antiquity, and in Surrey the Brays and the Evelyns are almost alone amongst the old houses of untitled gentry, which have maintained a long connection with the county.

The old English houses rose for the most part in crops forced up by times of change. The conquest of England was such a time, although the conquest year was not as fruitful in ancestors as the peerages of a past generation would have us believe. The black death which left so many gaps in hall and stall made room for the founding of many new houses, and the

rise of the woolmen in the fifteenth century created a new group of rich gentry. The Wars of the Roses and the coming of the Welshman to the throne made a more famous mark in our family history, and with the Tudors rose the founder of the house of Bray of Shere.

When the fortunes of Sir Reynold Bray had grown to a spreading tree which sheltered a court of clerks and laymen, clients of his favour, all students of Tudor genealogy will believe that it was not long before Sir Reynold's pedigree grew up beside them. His pedigree is carried to a companion of the Conqueror, William Sieur de Bray, an ancestor for whom a reference to Wardour Street's eldest child, the Battle Abbey roll, must stand for all proof of existence. True it is that the Sieur de Bray is sometime styled Jocelyn or Jenkin Bray and sometimes Robert, but these diversities are common amongst the Conqueror's companions. An early Northamptonshire family of the name of Bray is pressed to follow this conquering forefather as his descendants, and Sir Reynold's own pedigree is drawn from a branch said to have settled in Bedfordshire, a county where Brays were certainly to be found in the thirteenth century. But the early history of this family is most obscure, depending for the most part upon sixteenth century pedigrees, which are little more than a string of names with few evidences to join generation to generation. If it be true that some lands in Harleston in Northamptonshire descended from a remote ancestor to Sir Reynold Bray, the pedigree is worthy of investigation. But as Sir Reynold was a younger son of a cadet branch, according to the pedigrees, it is difficult to find a reason for this inheritance. With Richard Bray, Sir Reynold's father, at least we are on sure ground. He was a Worcester man, the great Reynold, his second son, being born in the parish of St. John Bedwardine near Worcester. Leland reports that he was a physician, king's physician according to some legends, privy councillor according to others. We have him to all certainty in an entry in a Patent Roll of 1463,¹ at which date Richard Bray of Worcester, gentleman *alias* surgeon, has a pardon of outlawry which he had incurred in the late reign by not appearing to answer a plea of the executors of William Wetenhale, a citizen and grocer of London. Richard Bray is without doubt a man of means and substance, although a

¹ Pat. Roll, 3 Edw. IV. pt. i. m. 21.



· JOHN LORD BRAY.





JOHN LORD BRAY.

surgeon's trade in his times did not as a rule point to those good gifts. He may indeed have prospered in the early prosperity of his son ; in any case we find that he was buried in a tomb in the north aisle of Worcester Cathedral, the which is no poor man's burying ground. Thomas' survey of the cathedral in the early nineteenth century speaks of the gravestone as though it were then still in its place, but quotes no inscription thereon. One wife and five children were commemorated with him on this monument. The five children agree with the story of the pedigree which, however, gives him two wives. By Margaret, the first wife, daughter of a Sandys of Furness Fell in Lancashire, he had, according to most of the pedigrees, an only son John, whose daughter and heir became wife to the Lord Sandys of the Vine. The second wife is styled Joan Troughton, and by her Richard Bray had issue Reynold,¹ and another son christened after an old time custom also by the name of John and called John the younger. Two daughters, Lucy and Joan, make up the tale of the five children on the monument, which was probably a brass, and as we have said lost its inscription at some early date. The lack of this inscription encouraged many of the earlier pedigree makers to make Sir Richard Bray, knight, of Richard Bray the surgeon.

The great maker of the Bray fortunes rose by service. With high scorn writes a seventeenth century satirist² : 'To serve noblemen in most un noble offices, to pull off their boots, brush their cloathes, wait at table with a trencher in their hand, ride with a cloak-bag behinde them, dine and sup with footmen and groomes, is the ordinary course of gentlemen in England, wilst in other countreys they goe to the warres and scorne to sitt in a shop or wate upon any one.' But by service rose many a man in those days of change, and Reynold Bray rose by holding to the skirts of a great lady, Margaret of Richmond, wife, by her second marriage, of Sir Henry Stafford. Sir Henry Stafford made Reynold Bray his receiver general

¹ That the mother of Sir Reynold Bray was named Joan cannot be questioned, for by his will he gives two hundred pounds to the friars of Guildford, where she was buried, for masses and prayers for the souls of her and of Richard her husband. Her burial elsewhere than at Worcester may account for the fact that only one wife is represented upon the monument.

² *England disprayed* (by Henry Belasyse, 1657) : Report of the Historical Manuscripts Commission ; Various Collections, 1903, ii. 204.

and household master, and at Stafford's death (in 1481-2) his servant remained with the widowed Lady Margaret. When in 1472 she had a licence¹ to enfeof certain trustees of her manors in Somerset and Devon to the use of her will, the last of eleven feoffees, whose names begin with Thomas, Archbishop of Canterbury, is Reynold Bray, gentleman. In such service at such a time a man must sink or swim. Margaret was daughter of a Beaufort. Her first husband, Edmund Tudor, made her mother of the first Tudor king, her second was a Stafford of the Buckingham house, and her third was the Lord Stanley, Earl of Derby, whose politic changing of sides at Bosworth allowed him and his brother William to pick the crown of England out of the hawthorn bush and set it on Henry's head.

Reynold Bray kept his wise head upon his shoulders and swam safely in these troubled waters. At the accession of Richard III. he had a general pardon,² which allowed him to live in peace through another troublesome reign and to meddle with a great matter—nothing less than the marriage of the white rose of York with the Earl of Richmond, the only child of his mistress. Morton, the Bishop of Ely, who planned the marriage with his gaoler the Duke of Buckingham, at Brecknock in Wales, pressed for Bray's employment in the plot. Bray was the bishop's old friend; he was sober, discreet and well witted, a man whose prudent policy had compassed matters of great importance, and he was in the service of the Lady Margaret, mother of the chosen bridegroom. The prudent and politic Bray became a strong plotter for Richmond's cause, and through him many great gentlemen were brought to the side of Henry Tudor on Bosworth Field.

When Bosworth was fought out Reynold Bray rose with the new dynasty, and his boasted discretion kept him secure in his seat and in the enjoyment of the Tudor favour, so lightly to be forfeited. His honours came fast upon him. Knight of the Bath at the king's crowning, and soon afterwards Knight of the Garter, privy councillor, constable of Oakham Castle, high treasurer and chancellor of the Duchy of Lancaster, he gathered places, dignities, manors and pensions. His indenture of war in 1492 engaged himself to

¹ Pat. Roll, 12 Edw. IV. pt. i. m. 10.

² Ibid. 1 Ric. III. pt. iii. m. 18.



MARGARET ROPER
Daughter of Sir Thomas More.

serve beyond sea with eleven men at arms beside himself, each of the twelve having his coistrel and his page, with twenty-four demi-lances, with seventy-seven mounted archers, and with 231 archers and two dozen of billmen on foot. Such a gallant train must needs follow the surgeon's discreet son when he rode to the wars.

Five years later he saw war near at home, being at Blackheath when Lord Audley's Cornish rebels came up within sight of London. Thereby came more honours and lands. Holinshed says that he was made a knight banneret after the battle, but this he was already.

The simple gentleman who had been a trustee of the Lady Margaret in 1472 was now trustee for the dower of Catherine of Aragon, as he had already been made trustee for the fulfilling of the king's own will.

Having thus lived in high fortune and honour Sir Reynold Bray made ready for death, the death which the great lords of his day seem to have regarded as the occasion for the last pageant of their many pageants. He was a benefactor to many churches, but more especially was he patron of the work of St. George's in Windsor, where he made ready a chapel in which he might lie not far from the stall wherein he had sat as a knight of the garter. Here he was buried, where no monument of him stands, but his arms of Bray, and his wife's arms of Hussey, and his famous badge of the hemp-bray remain for a memorial in the stonework about the place where the tomb was.

Malvern Church keeps his picture in glass, kneeling at a prayer-desk in armour covered with a tabard of his arms, and St. Mary's Church in Oxford had once a window with the like figure of Sir Reynold kneeling beside his lady. He died in 1503, six years before his master the king, whom, as the awe-stricken chroniclers have it, he was wont to chide for any kingly offence against good law or equity, giving him 'good advertisement how to reform that offence and to be more circumspect in another like case.' The wisdom of Sir Reynold is apparent even in his choice of the time for death, for a king was coming to whom ministers who would die comfortably in their velvet-curtained beds would refrain from offering such 'good advertisement.'

By his wife Catherine Hussey, who survived him, he left no children, and the representation of the male line of Bray passed

to his nephew Edmund Bray, the son of his brother John the younger. Much of the estates of Sir Reynold came to the hands of the Lord Sandys his nephew by marriage, but Edmund Bray's share must have been a lordly portion, for in 1529 he was summoned to parliament as a baron.

Like his uncle, Edmund Bray was knight of the garter, and he was one of those nobles who with their pawned manors glistening on their backs followed King Henry to the field of the golden folly. He married a Devonshire woman, Jane, daughter of Richard Halwell or Halliwell, a squire whom the pedigrees of Bray style a knight, one of a batch of such knights made by the ingenious pedigree-makers within the space of three generations of the Bray history. He died in 1539 and was buried at Chelsea near his father John Bray.

John his only son, second and last of the Lords Bray of Eaton, succeeded him. He followed the wars, having a command under the Earl of Hertford in France, and fighting in Norfolk against Ket's Norfolk rebels. His portrait shows him as a handsome and well-knit man, and after the Norfolk campaign he was given the leading of the king's own guard of gentlemen pensioners.

Few houses of statesmen held safely with the house of Tudor to a third generation. In 1556 John Lord Bray saw the inside of the Fleet prison for a while and exchanged that retreat for the Tower. His wife, a daughter of the Earl of Shrewsbury, strove hard in his cause, and a pardon came the next year, from which pardon we learn the nature of his offence. In the parish of St. Andrew in London, the Lord Bray had most falsely, mendaciously and contemptuously said of his queen that if 'his neighbour of Hatfield,' meaning the Lady Elizabeth, might once reign, he should have his lands and debts given him again, 'which he both wished and trusted to see.' Under Henry VIII. fewer words than these would have cost the baron his head, but under Queen Mary they might be wiped out, and the pardoned Lord Bray was hurried over sea to redeem his character at the siege of Guines. But all the campaign could give him was a low fever, with which he came back to die at his house in the Blackfriars a year too soon to see fulfilled his good wishes for his neighbour of Hatfield. He was buried by his father and grandfather in the old church of Chelsea, Chelsea having been one of the many manors of the great Sir Reynold. Brasses and inscriptions having been



MARY ANNE CATHERINE MATTHEWS.

Wife of Edward Bray, and sister of the author of the "Essay on Population."



REGINALD BRAY OF SHERE, 1797-1879.

From a portrait by John Linnell.

wantonly torn away from the tomb, the present head of the house of Bray of Shere has renewed the memorial of the two lords.

Of the funeral of John Lord Bray at Chelsea the heralds who marshalled it have preserved one of the most characteristic accounts of these black velvet splendours.

We begin with the Lord Bray's death in the Blackfriars on a Thursday, the eighteenth of November, at three o'clock in the afternoon.

When the body was cold it is bowelled, cered and coffined, and brought into the great chamber where it lies under a table covered with a large pall of black unwatered camlet with a white cross along it. This pall has six scutcheons of his arms and his wife's arms wrought on buckram. A cross and tapers stand upon the pall, and the tapers burn there in the sight of those who watch before them until the Tuesday morning following. Early in the morning of that day John Lord Bray sets out for his manor of Chelsea, and a great company with him.

First comes the cross with thirty-four priests and clerks following it. Then comes one hooded, who bears the dead lord's standard, his long tailed flag embroidered or painted 'with his crest of the lyon between two wyngs powdered with the dunne croppe eared connye and the brake and his woorde sera comme a Dieu plaira', the price of that standard being thirty-three shillings and fourpence, as appears by the bill annexed. Chaplains in their gowns and tippets go before Thomas Udall with the Bray banner and Rouge Dragon the pursuivant with the crested helm in his hands, Richmond herald with the coat of arms, and Garter King of Arms shepherding his tabarded flock. My lord in his coffin comes next borne by six of his men and beside him walk two more hooded gentlemen who carry the banners of the Trinity and St. George (at 20s. apiece). Eighteen poor men carry eighteen torches before the chief mourner Sir George Broke, Knight of the Garter, Lord Cobham, and many more mourners and friends.

In this order they go to the Blackfriars bridge and there take water upon two great barges covered with black, and garnished with scutcheons, in which they row solemnly to Chelsea, the barge with the lord's body going first.

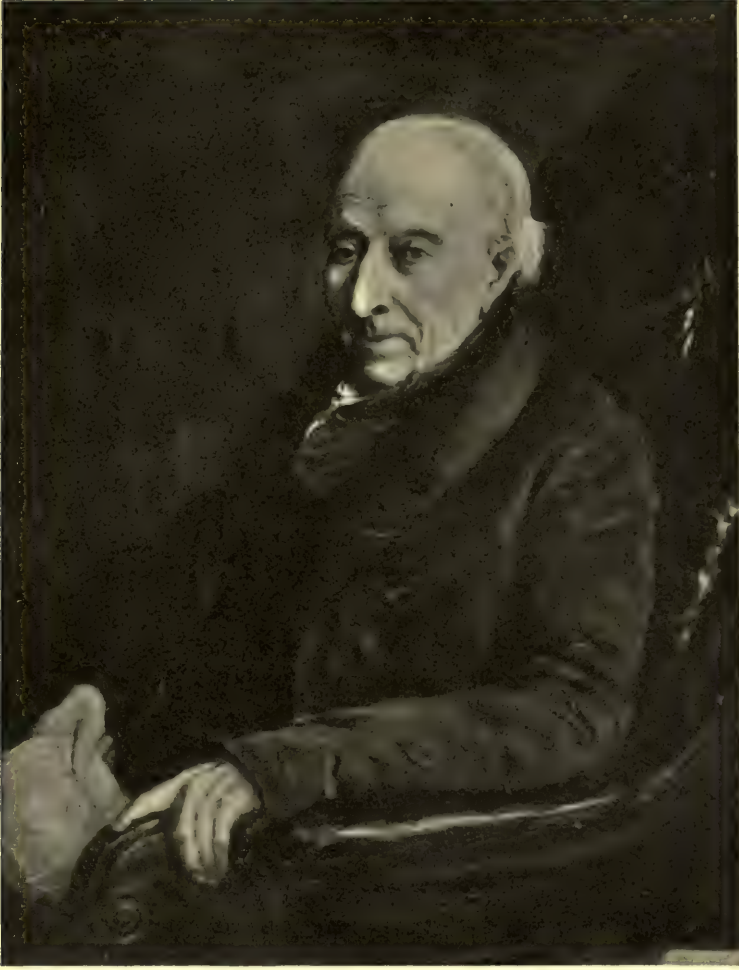
At Chelsea church the body is borne into the choir and set upon trestles within a chancel hung with blacks, amongst stools

and cushions for mourners also covered with black. High candles burn at the barriers about the coffin, each with scutcheons of the Bray arms.

Richmond herald bids the prayer for the soul of the right honourable Sir John Bray, knight, late Lord Bray, asking a pater-noster for charity. Then is *dirige* sung, and mass of requiem, and divers masses at the side altar. At *magnificat* and *benedictus*, after the gospel and at *libera me* the corpse is censed. At the offering Master Garter and his fellows with the seven mourners go up to the altar and a golden piece is offered for mass penny. The coat of arms, the target, the sword and the helm and crest are each severally offered and set upon the altar by the heralds who take them from the priests' hands. The mourners make their own offering, and Father Peryn, a black friar, begins his sermon on *Scio quia resurget in resurrectione in novissimo die*. Lazarus and his raising from the dead is expounded, and Father Peryn or the good herald who reports him says that Lazarus was a gentleman given to chivalry for the wealth of his country. Application—even so was that noble man who lies here dead. At St. John's gospel standard and banner are offered, and the body is lowered to the grave. The mourners and heralds get them back to their boats and go back to their dinner in the dead lord's house at Blackfriars on the hall table where the black pall was.

John, Lord Bray, left no issue; his coheirs were found amongst his many sisters and their children. Of ten daughters of his father and mother six had married, one of them four times. The strange interpretation of the doctrine of abeyance which prevailed with the early Victorian peerage lawyer chose out from amongst the many descendants of these sisters of the last Lord Bray, Mrs. Sarah Otway-Cave, in whose person the barony was revived in 1839. Her last surviving child, Henrietta, wife of the Rev. Edgell Wyatt-Edgell, carried the barony to her husband's family, and her son, who has exchanged his father's surname for that of Verney-Cave, is now Lord Braye of Eaton Braye, adding a final 'e' to a surname which the male descendants of Richard Bray are curiously insistent upon spelling with four letters.

The male line of Bray was carried on by the descendants of the brothers of the first Lord Bray, Sir Edward Bray and Reynold Bray. Reynold the younger of these married a Monington of Barrington and his line held Barrington until 1734.



WILLIAM BRAY, THE HISTORIAN OF SURREY, IN HIS 97TH YEAR.

From a portrait by John Linnell.

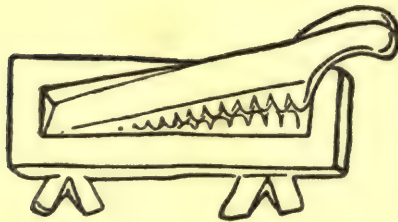


Sir Edward the elder was of the Vachery in Surrey. He married three times and his son and heir another Sir Edward four times, one of the four wives being daughter of William Roper by Margaret More, the daughter of the great Thomas. His son Reynold was born of this Bray and Roper marriage. For this descent, on which doubt has been carelessly thrown, we have the assurance of his christening entry in the parish register of Shere, and his recognition in his father's will. The second of these Sir Edwards, who dwelt at Wrotham in Kent, had been styled of Shere, a style which has followed the family ever since. The manors of Gumshall Tower Hill, Gumshall Netley, and Shere Vachery and Cranley, have stayed in the name of Bray since the days of Sir Reynold.

The next famous Bray was a great repairer of the fortunes of the house. William Bray, who bought back the Brays' manor of Shere Eborum which had been sold in 1609, was born in 1736. The fourth and youngest son of an Edward Bray of Shere, he was bred an attorney, but a place being found for him in the Board of Green Cloth, he left the Guildford attorney's office and held his post at the board for fifty years. He became heir to his elder brothers, married and had children, of whom one son only grew up, the grandfather of the present Bray of Shere. The labours of the Board of Green Cloth were not of such a nature as to claim the undivided attention of those who sat at it, and William Bray became an antiquary and a famous one. A fellow of the Society of Antiquaries in 1771, he was its treasurer in 1803 and died at Shere at the patriarch's age of ninety-six. Through him will the name of Bray be evermore linked with that of his county of Surrey. When the Reverend Owen Manning died in 1801 leaving collections for the history of Surrey, William Bray took charge of the manuscript, and after visiting every parish of the county in the course of his task issued the first volume in 1804 of a history which ranks amongst the greater county history books of the days before Eyton and his school. Two more volumes appeared in 1809 and 1814. Besides this great work, William Bray brought before the public the neglected work of a famous neighbour of the Brays, John Evelyn of Wotton, of whose writings he put forth an edition in 1818, since which date the famous diary has reached all the bookshelves of the world.

[Among the family pictures which, by the courtesy of the present master of Shere, we are able to illustrate this article, will be found prints of the two portraits of the last Lord Bray. These portraits, despite the inscription in the corner of one of them, have been ascribed to his father, Edmund Lord Bray, but the evidence, on the whole, points to John Lord Bray as their subject.]

*John Lord Bray
 17th May 1700*





REGINALD MORE BRAY OF SHERE.
1903.



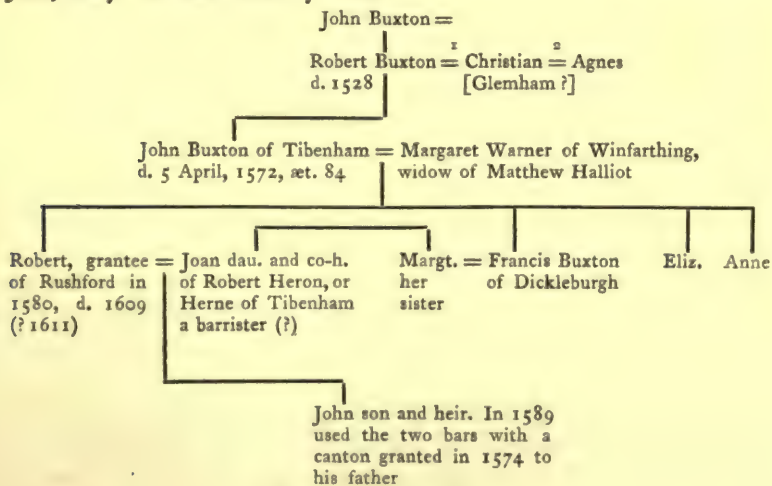
BUXTON OF SHADWELL COURT

IN the last *Report of Historical MSS. Commission* just issued, which treats (*i.a.*) of the MSS. of Miss Buxton, Canon Jessopp remarks (p. xix.) that

The earliest progenitor of the ancient family of Buxton of Shadwell Court . . . of whom we have any certain knowledge was Peter de Bukton knight, steward of the household of Henry, Earl of Derby, afterwards King Henry IV. whom he accompanied on his travels in the years 1390-1 and 1392-3 with his son Robert de Bukton serving him as his squire. Ten years later he appears in the Gascon Rolls as Mayor of Bourdeaux, a lucrative office, one of great importance, and which probably was the foundation of that wealth which his immediate descendants appear to have acquired when they settled at Tibenham in Norfolk, etc.

With all respect to Dr. Jessopp's opinion I venture to say that nothing is less certain than the origin he ascribes to the Tibenham Buxton, and that the alleged descent from Sir Peter de Bukton is absolutely without foundation for the reasons I will now give.

All we know with certainty of the ancestors of the founder of this family, one Robert Buxton of Tibenham in Norfolk who was 'the closely trusted friend and counsellor of the fourth Duke of Norfolk and his son the Earl of Arundel,' who leased the site of Rushford College to him in 1580, may be told shortly thus:—



Burke refers to one John Buxton as having given the fourth bell to Tibenham Church in 1478, and a cope of purple velvet in 1497, and says that he was the son of another John Buxton.

Prince F. Duleep Singh's copy of the 1589 Visitation refers to the family as coming from Dickleburgh where the Duke of Norfolk had possessions.

At the Visitation of 1589 the arms passed to Robert Buxton were

Quarterly 1 & 4 sa. two bars arg. on a canton of the second a buck trippant of the first attired or, 2 & 3 az. three herons or, the crest a pelican vulning itself.

Now quartering of the Heron coat was absolutely unjustifiable, for the Hernes (afterwards translated into descendants of the ancient Northumberland family of Heron of Chipchase, but really small local people, tanners in fact) were not armigerous at all.

So here in 1589 we get the first symptom of bogus grafting on to the pedigree.

Soon after, at a date which I shall show hereafter must have been between 1589 and 1613, the achievement which was the cause of this paper, and of which a facsimile faces it, came into the possession of the family and caused them to exchange the coat, which was granted or possibly confirmed to them in 1574, for the lion shown on such achievement.

This very interesting picture, still in the possession of the family, was, it is said, and I have no reason to doubt it, found at Bungay Nunnery by the Duke of Norfolk (the patron and employer of the Buxtons) when it was granted to him in 29 Henry VIII. (1537-8).

Whether he gave it at once to the Buxtons does not appear, but I should think not, otherwise why should they thirty-seven years later take a grant of a totally different coat; and it was not till the Visitation of 1613 that the family, with the assistance of the heralds of the period, threw over the granted coat and went, not only for the lion of the achievement, but its *impaled* coat of two bucks, which by some strange confusion of mind they have treated as another Buxton coat!

One thing is abundantly clear, viz. that the monument, purporting to be erected on the death of John Buxton in 1572 and bearing a lion rampant quartering two bucks couchant



THE ARMS OF "LE SENESCHAL BUXTON."

impaling or a bend engrailed between six roses gules, could not have been erected till long after its nominal date, for the two bars and a canton were granted two years later than 1572, and were used in 1589—seventeen years later.¹

This monument therefore is valueless as evidence, and I may also point out that the coat which purports to be impaled on it for Warner of Norfolk, is utterly unjustifiable, for Mary Warner of Winfarthing was not entitled to arms at all, and the coat itself is that granted to Warner of Essex in 1609—which further narrows the date of the concoction to 1609–13.

Of later years the family have run the gamut on all three coats, the two bars, the lion rampant² and the two bucks couchant, according to Burke, using them all three. Lady Buxton is now using the lion coat in the first quarter, with the bars, etc. in the second.

Now the cause of this sudden change or rechange from the two bars to the lion and the bucks was of course the acquisition by a family of the very interesting picture, before referred to, of one 'Seneschal Buxton,'³ which bears the arms argent a lion rampant or, *impaling*, or two bucks couchant.

That the impaled coat of the two bucks could have nothing to do with the paternal coat of the Seneschal, but must have been his wife's coat, does not appear to have struck the family, but the achievement or picture has ever since had an honoured place on the family walls, though with an honesty very rarely to be found in such cases, they admit that the tradition is that it was *given* to their ancestor after the Dissolution.

If the achievement be genuine (and I am bound to say that, after the examination kindly afforded me by Mrs. Buxton, I think it is, a view supported by such authority as Mr. Seymour Lucas, R.A., F.S.A., and others) it proves nothing except that an English man-at-arms bore a lion rampant and

¹ There seems to have been another brass to him in which he is described as 'Johannes de Buxton,' which is suspicious and looks like a later monument, and I greatly doubt if either monument is contemporary.

² Round, for once in a way, trips when in his *Peerage Studies* (p. 318) he speaks of the family 'most properly' bearing the lion rampant coat.

³ I am not quite clear as to the force of the expression 'Seneschal.' I see 'Seneschal de Brediston,' a Norfolk locality, occurs in the *Liber Rubens*, 1212, p. 476.

married, apparently, a foreigner who bore two bucks couchant.¹ But if it be a concoction of two or three hundred years ago,² and my antiquarian knowledge fails me to say definitely that it is not, it may be that, after the 1589 Visitation, the Tibenham Buxtons right to the two bars *may* have been challenged, and that seeking about for a new coat they went to Buxton in Norfolk, and finding there the lion rampant, the coat of the Morleys, lords of that place, quietly appropriated it and concocted the achievement which has now a very respectable antiquity.

Or it may be that the achievement was a genuine one belonging to the Morleys, lords of Buxton. We know that Thomas, Lord Morley, who was lord of Buxton, and who died at Calais in 1416, distinguished himself in the French wars, and at his death was Captain General of the Forces there. (His grandson Thomas, Lord Morley, was also fighting in France). We also know that his first wife was Joan (whose surname and arms are unknown, but for whom the impaled coat may be meant), and that he certainly bore a lion rampant, sometimes crowned and sometimes uncrowned, and he sealed an Indenture of War in 1420 with a lion *not* crowned (Blomefield's *Norfolk*, ii. 441). Still I cannot trace that the Morleys had anything to do with Bungay.

For many years the family have assumed that the 'Seneschal Buxton' of the achievement was the Sir Peter de Buckton of Yorkshire, who served in the wars against the Scots and French,³ 1350 and 1412 (*Scrope and Grosvenor Roll*, ii. 466), attended a great council in 1405, and whose name frequently occurs in *Expeditions to Prussia and the Holy Land made by Henry Earl of Derby in 1390-3* (Cam. Soc.). In 1393-4 he was party to a Yorkshire fine (*Genealogist* i. 96). He was Escheator for York in 1397 and in 1411 was Mayor of Bordeaux (Rymer's *Fædera*), and may have been the 'Bukton' to whom Chaucer addresses an envoy.

He was dead by 1423 (Pat. Roll, 1423, m. 7; *Calr.* p. 59).

¹ I cannot trace this coat in any English ordinary.

² It must not be forgotten that one of the Buxtons (ancestor of the present family) married an Anne *Steward*, and we all know how bold and unscrupulous were the Steward-Styward concoctions at just about this period.

³ Another of the Yorkshire family, Sir William Buckton, was going to the French wars in 1427 (*Pat. Roll Calr.* p. 404).

Dr. Jessopp points out that he had some slight connection with Norfolk and Norfolk men, having been one of the feoffees of a manor in Rockland Tofts in 1393 and a comrade of Sir Thomas Erpingham about the same time.

But Sir Peter de Buckton the warrior cannot have been the man whose arms were found at Bungay, for when he was at the siege of Rouen in 1419 the roll of arms there shows that he bore 'quarterly ar. and gu. on the gules quarters three goats passant 2 & 1 of the first horned or.' The goat in fact belonged to the north county Buckton or Buxton (see Brit. Mus. Seals, 7907; and 'Visitation of Northumberland,' *Geneal.* ii. 225). The Jenyns roll too (ante 1480) has a John de Buckton bearing argent a goat saliant sable with head and beard of the field and horns vert.

So much for proof that the Buxtons of Tibenham have no right either to the lion coat or the two bucks coat, and that they can have had nothing to do with Sir Peter de Buckton of Yorkshire.

Now I think I shall be able to show that their real descent is in all probability from a very old and an armigerous family taking its name from the village of Buxton near Norwich.

From an invaluable collection of notes of early charters, made about 1740, by Antony Norris, Esq., of Barton Turf (certainly the chief and most industrious genealogist we have ever had in Norfolk), and which is in my library, I am able to construct the rough pedigree set out at the end of this paper, which shows that for many hundred years there was a family of Buxtons settled at Oulton and Irmingland, both near Buxton itself, who in 1402 bore *three bars gemelles, on a canton a crescent*—a coat remarkably like that granted or confirmed to the Buxtons of Tibenham in 1574.

This coat appears on a deed, now Harl. Charter Brit. Mus. [53, 35], which shows that Robert Bucton was in 1402 a trustee of land in Newton¹ [Newton St. Faiths near Horsham and Buxton], his co-trustees being Sir Thomas de Morley, Lord Morley (the lord of Buxton) and John *Glembam*.

Now the Tibenham Buxtons early held *Glembam* manor in Tibenham, and Dr. Jessopp astutely suggests that the Christiana Buxton, who occurs on a brass at Tibenham as

¹ Mr. Walter de Gray Birch, in his *Brit. Mus. Seals*, has incorrectly identified this with 'Newenton' of Suffolk, and thrown every one off the scent for a long while.

wife of Robert Buxton before 1528, was the Christiana Glemham, heiress of the manor, who brought it into the family—the coincidence of the two surnames and the two coats seems to me to make out a *prima facie* case. This Robert may have been the Robert Bucton who married the daughter and heiress of Sir John Braham of Capell, Suffolk, who died 49 Edward III. 1376 (*Suff. Soc. Trans.* viii. 138) or the *Robert Bukton* who was apparently a feoffee of land in Gorleston Bradwell and Yarmouth parva (*Fleet of Fines*, Suffolk, 6 Hen. IV. 1404, No. 17).

A Robert Buckton who Sir Richard Gipps in his 'Ancient Families of Suffolk' (*Suff. Trans.* viii. 141) says came of a family which were settled at Brome by marriage with *Brampton* and continued there till Robert Buckton left two daughters and heiresses, Philippa who married John Cornwallis of London, merchant, and Ann married [] bore three bars gemelles arg. on a canton party per pale arg. and or a crescent, and were probably akin to the Tibenham family.

Of course, however, the Suffolk Buxtons may have separated from the Norfolk family at a far earlier date, for I have notes of them in Suffolk.

It will be noticed that the old Norfolk Buxtons—the Oulton family—had to do with Ormesby and the Fleggs, and it is curious to note that a family called Bucksbyn or Buskin were people of considerable importance in the neighbourhood from 1272 till about 1400; and still more curious that almost contemporary with the Sir Peter de Buckton, the Yorkshire fighting knight, to whom the achievement was wrongly attributed, there was a Peter Bucksbyn lord of Fishley, etc. He bore (P.R.O. Ancient Deeds A.S. 275, 102) quite another coat—two bucks running; and another of the family bore three bucks' heads (seals at Stow Bardolph), but that the two names had nothing to do with one another is clear from a fact that Peter Bucksbyn in 1346 served on the same jury as John de Buxton.

As to the ridiculousness of the College of Arms giving the new family of Buxton of Essex the adopted lion of the Shadwells, differenced by two mullets, one cannot but agree with Mr. Round. But the *acmé* of absurdity has been still later reached by the sign of the village inn at Buxton in Norfolk, which no doubt once bore the lion rampant of the

BUXTON OF SHADWELL COURT 17

Morleys, lords of the place for centuries, and which now shows the new coat of the rampant lion between the two mullets, whether from the fact that one of the Essex family lives in the neighbourhood, or from the house possibly selling the beer of Messrs. Truman, Hanbury, Buxton & Co., I know not.

It should not be forgotten that there were others of the name who *may* have been the ancestors of the Tibenham family—e.g. Richard Buxton of East Rudham ‘baxter,’ whose will is dated 1464 and who mentions his son Robert, to whom he leaves his ‘jack, salett and pair of gauntlets.’ In these troublous times able fighting men rose from the ranks very suddenly. Again there was a William Buxton of Forn-cett, whose will is dated 1509, and who left a wife Margaret. His will is witnessed by a John Buxton, who may be the John Buxton of Forncett the first.

WALTER RYE.

William de Buketon. In 1234 called to warrant in a fine of land in Swannington and Buxton

Elfridus (mentioned as his ancestor by Ralph de Buketon)

Nichs. de Buketon =

Nichs. de Buketon =

Henry de Buketon (heir to Nicholas) =
(? see ‘Ancient Petitions,’ Nos. 1799, 1800)

Ralph de Buketon, probably the same as

All mentioned in undated charters relating to land in Ormesby, which had to do with St. Paul’s Hospital, Norwich. This hospital was founded with the consent of Richard de Beaufoy, and Bishop William de Beaufoy gave land to it, which Alan de Beaufoy confirmed (*Bl. Norf.* iv. 429). Now Buxton manor at the Conquest belonged to Ralph de Beaufoy, and passed through Hubert de Rye to his descendants the Morleys as of their barony of Hingham. These Buxtons therefore, who also had to do with St. Paul’s Hospital, were probably undertenants and took their names from the place

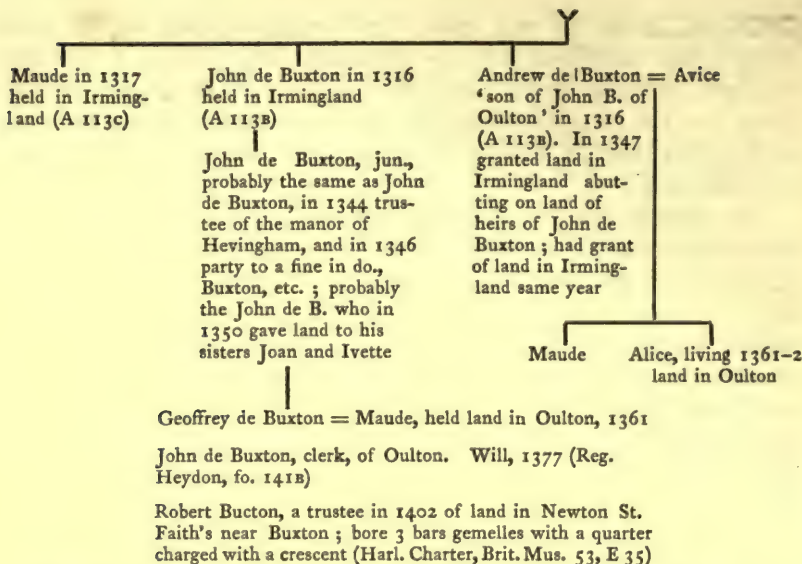
Ralph de Buketon =

Clarice, ux. 1289
of Oulton

John held in Irmingland. (Norris } probably
Charters, A 112B; no date) } same as

John de Buxton =

John de Buxton held in Irmingland =
before 1290 (A 113D); do. in Oulton
1306 (A 113C); do. do. 1310-1
(A 51C)



Blomefield, in his *History of Norfolk*, vi. 446, also refers to a Bertram de Buxton, lord of a manor in Buxton, succeeded by Geoffrey de Buxton, and his brother Richard states that in 1355 Thomas de Buxton, rector of Bintre, settled his estate in Buxton on Jordan Wyche and his wife Beatrix and his sister Alice who seem to have been his sisters and heirs on the tabular pedigree. Fornett is very close to Tibenham, the place whence the family sprang.

Then again there were Robert and John Buxton, websters and weavers, freemen of Norwich in 1379 and 1439. But on the whole I am inclined to think the family sprang from the Buxtons of Oulton, who bore arms in 1402 as shown above.

SOME CHESHIRE DEEDS

GROSVENOR. TOFT

These two deeds should have found a place among those abstracted in *The Ancestor*, ii. 129-47, and are numbered accordingly.

XXXVI. *bis.* 1424

Roger le Venables, parson of Rouestorne, and John Chardero chaplain, to Thomas le Grosuenor knight. Indenture granting all their messuages, lands, etc., in Bancroft, which they have of the feoffment of Hugh de Davenport son of Thomas de Davenport of Hendebury, with warrant. Witnesses: Edward de Weuere knight, Randle le Maynwarynge, Richard de Bulkley, Robert de Wynnynnton, Henry de Byrtheles, Robert de Nedham. Dated Bancroft, saturday before St. German Bp. 1424. Two seals.

XL. *bis.* 1333

Roger lord of Tofft of the one part, and Roger son of Adam son of Henry de Tofft of the other. Indenture of grant of a piece of waste in the territory of Tofft, by the field formerly of Adam son of Henry de Tofft, to hold of the chief lord with commons and turbary in Tofft moss for two hearths (*astra*) which are upon the land late of said Adam, with warrant: for which grant Roger son of Adam quitclaimed to the lord of Tofft and his heirs a piece of waste between the Gorsticroft and the bounds of Holoreton. Witnesses: John de Carynton, John son of Hugh de Legh, Roger de Legcestre, William de Tabbeleggh, Thomas de Tofft, William de Glasebrok, W. the clerk. Dated Tofft, tuesday before St. Barnabas, 1333. Seal.

MOBBERLEY

For the connection of the Grosvenors with Mobberley see *The Ancestor*, i. 171, 182; ii. 155.

xcvii. [Before 1296]

Robert de Dounes, with consent of Margery his wife, to Maud his daughter. Grant of all the land held of him by Richard Blagge in the town of Cherlegh, by Robert de Scharsale in Scharsale, and by Roger Ruffus in the town of Cherlegh, and the rent paid by Henry de Cherlegh and Richard son of Richard lords of Mottrum, to hold of grantor and his heirs to said Maud and the heirs of her body at a yearly rent of one clove at all saints for all demands saving foreign service to the lord of the land, with warrant. Witnesses: sir Reynold de Gray justice of Chester, sir Geoffrey de Chedle, sir Edmund Phyton knights, Thomas the clerk bailiff of Maclesfeld, Richard de Bromale, John de Corona, Henry de Honford, John de Mottrum, Jordan de Tyderinton, John de Sutton, Jordan de Bredbury, Adam Byran, Wivian de Foxwist. Undated. Seals of Dounes and wife attached with silken cords: (1) a buck tripping, s' ROBE . TI DE DOVN . . (2) a figure of a lady holding a lily, s' MARG'IE DE DOVN . .

These lands were granted to Downes and his wife in frank marriage by sir Edmund Phyton her brother (Ormerod ii. 600). Chorley is in Pownall, Scharsale perhaps Harehill in Alderley, and Mottrum is Mottram Andrew. Maud married William de Modburlegh, and a share of her lands came to Grosvenor. The date of this charter shows that the place assigned her in Mr. Helsby's pedigree of Downes cannot be correct.

xcviii. [circa 1360]

Petition of John de Leycestre to the prince, stating that he was in possession of the manor of Modburlegh by assignment of sir Ralph de Modburlegh his uncle, and left a servant to keep the same, but Hugh de Chaterton and others of the county of Lancaster came and ousted him by force, while petitioner was out of the country, and still hold the manor without regard for the commandments of the prince, or of John Delues lieutenant of his justice of Chester, and praying in consideration of his costs both at Caley and in London to re-enter and have again his inheritance. Undated. (French.)

xcix. [1361]

Declaration of John de Wynkefeld knight, in a suit between John de Leicester and Hugh de Chaderton and Margaret his wife (said to be daughter and heir of sir Ralph de Modburle knight), concerning the manor of Modburle and other the lands of sir Ralph in co. Chester, that sir Ralph came to him before Reynes, at the beginning of the sickness whereof he died, and said that before his journey to Gascony he enfeoffed certain chaplains, John Spendloue and others, of said manor and lands upon certain conditions dependant on his will, and said that his heritage should not be dismembered, but should he die said chaplains were to enfeoff John de Leicester his nephew of the whole, to him and his heirs, but that this was private, because his wife had a daughter, which he did not hold for his, and she should never inherit, nor any other but said John; and again a little before his death prayed him to aid his said nephew, as he has testified before the prince and others. Dated London, 11 june 35 Edward III. (1361).

NEWBOLD

Pulford came to the Grosvenors of Holme by marriage with the heiress, and these deeds are therefore placed in this order (see Ormerod, ii. 854; iii. 148; *Genealogist*, new ser. xvi. 21). But at the partition of the Grosvenor estates, Pulford went to the Winningtons; and of them was acquired by the Bulkleys, who much earlier had land at Church-on-Heath. Compare the Edgerley group. Both probably formed part of the Bulkley collection.

c. [1268]

Richard de Brueria to dame Emme de Pulford. Bond that he will never alien his land at Heath, or any part thereof, from Ralph his son and his heirs by Margaret daughter of the late Robert de Pulford, under a pain of 100*l.*, binding himself and all his goods to the jurisdiction of the justice of Chester to enforce this agreement, and renouncing all appeal, exception, prohibition of the king, privilege of crusaders, prohibition of the lord of Cheshire and his justices, or remedy of the common or civil law. Witnesses: Richard parson

of Pulford, John de Marcinton, Hugh de Pulford, William de Brex', Hugh de Hatton, Robert Jay (?), John the clerk. Dated at Heath, the ascension (*ad ascenc'om d'ni*) 1268. Seal. s' RIC . . . BRVER . . . Endorsed, Heth.

The genuineness of this deed is not beyond suspicion. The script is extremely bad ; and several letters look like clumsy efforts at archaism. The date is added in fainter ink. The seal, of a common type, is impressed upon the back.

CI. [1270-96]

John de Mersinton and Sibil his wife to John de la Holt son of sir Richard de la Holt. Grant of all their land in the town of Neubold, in frank marriage with Emme daughter of Simon de Hatton, and all right in the town aforesaid, to hold of grantors and their heirs to said John and Emme and the heirs of their bodies, remainder to grantors, with warrant. Witnesses : sir Reginald de Grey justice of Chester, Robert de Huxeleg' constable of Chester castle, William de Bonebury, William de Spurstou clerk, William Bernard, Richard Munxhul, Robert de Thicknis, Richard de Bostoc, Stephen the clerk. Undated. Two seals: (1) a lion: s' IOH : DE : MARCHINTOVN. (2) a bird: s' SIBILIE DE WAVRTO'.

Sir Richard del Holt is said to have been grandson of Simon de Newton of No. cxii. (Ormerod, iii. 209).

CII. [circa 1280]

Hugh de Hatton to Agnes de Bostok and the heirs of her body. Grant and confirmation of all the lands, *culturas*, possessions, liberties and commons which John de Mersinton and Sybil his wife gave by charter to said Agnes and the heirs of her body. Witnesses : William de Haurthin sheriff of Cheshire, Griffin de Waran', Th[omas] de Bella aqua, Th[omas] de Hertul, William de Huxley, John of the same. Undated. Seal, a lion and (dragon?). s' HVGONIS

CIII. [1295-1315]

Robert de Pulford to Philip 'my brother' for life. Grant indented of his land and tenement (with dowers, if they fall in) with messuages, meadows, etc., in Neubold by Buyrton, to hold of grantor and his heirs to grantee and his assigns (saving the chief lords and men of religion) at a rent of one rose, with warrant. Witnesses : John de Leg'e, William de Mulnet[on], John de Golburn, Robert de Belewe, David de Barton, Robert de Codinton. Undated. Fragment of seal.

PICKMERE : TABLEY

These two places are in the Lostock neighbourhood ; but the following deeds do not disclose any relation to the rest of the series.

CIV. 1351

John Spendeloue chaplain to Ellen daughter of Walter de le More. Grant of all his lands and tenements in Sondisfordelegh in Kylltingusfeld, with turbary pertaining thereto in the town of Overtabbelegh, and liberties and easements in the town of Nethertabbelegh, to hold the said tenements of

grantor and his heirs, and the commons and easements aforesaid of the chief lords, to Ellen her heirs and assigns, with warrant. Witnesses: Adam de Tabelegh, Thomas Dayneres, Hugh de Tofte, Hugh de Pekemere, Thomas de Tofte. Dated Overtabellegh, monday after St. John Baptist, 1351. Seal gone.

cv. [1369]

Hugh del Holes de Pykemere to Margaret late wife of Hugh le Bruyn. Grant of 10*l.* yearly rent issuing from a moiety of the lands late of Hugh de Pykemere her father, to hold for life of grantor and his heirs. Dated Pykemere, sunday after St. Helen 43 Edward III. (1369). Seal gone.

cvi. [1369]

Hugh del Holes and Margaret late wife of Hugh le Bruyn. Indenture, being a defeasance of grant of 10*l.* rent of the moiety of lands late of Hugh de Pykemere father of Margaret, provided that she be not ousted from the term she has in the moiety of all lands that were her said father's at the time of her marriage. Dated Pykemere, sunday after St. Elena 43 Edward III. (1369). Seal gone. (French).

DIEULACRESSE CHARTERS

This abbey, which was first founded at Poulton in Cheshire, near Pulford and Eaton on the Dee, was removed to Leek in Staffordshire early in the reign of Henry III. Byley and other lands were acquired by the Shakerleys after the dissolution.

cvii. [circa 1230 ?]

Emme daughter of Warin de Byuel' to the abbot and convent of Deulacresse. Grant of all the land which her father conferred upon her in marriage in Byuel' and Rauenescroft, to hold of her and her heirs at a yearly rent of 1*d.* at Michaelmas, in consideration of 3 marks, with warrant. Witnesses: Joceram de Hellesby, Richard de Kyngeslegh, Warin parson of Middlewych, Simon de Neuton, John de Haccoluest'. Undated. Seal gone.

Byley and Ravenscroft near Middlewich.

cviii.

Henry de Hulmo to the abbot and convent of Deulacres. Quitclaim of his manor of Upper Hulme and a portion of the land called Peselondes lying by the Roches (*juxta Rupem*), with warrant, in consideration of 27 marks for gersom. Witnesses: William Wyther, Robert de Chetelton knights, Richard de Rodeyerd, Henry le Couderey, William de Waterfall, Nicholas de Clyfton. Undated. Seal gone.

These places are in the parish of Leek, co. Stafford.

cix. [1369]

Edward Prince of Aquitaine and Wales, Duke of Cornwall and Chester, to the Abbot and Convent of Dieulencresse. Letters patent granting all the lands and tenements which they and their tenants have held enclosed upon the moor of Rudheth by the town of Bilegh, which are 187½ acres and 7 perches, to hold at a rent of sixpence an acre payable to the exchequer of Chester.

Dated at Chester, 30 May 43 Edw. III. (1369). Seal of arms—a shield of England with a label—SIGILL' · EDWARDI · FIL' · REGIS · ANGL' · COMITIS · CESTR'

CX. 1651

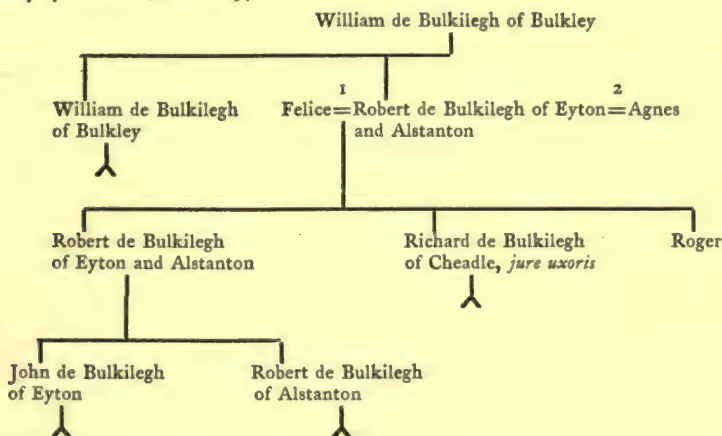
John Whittingham of the Cittie of Chester gentleman to John Amson of Leighes yeoman. Paper writing indented, being a release and quitclaim of one meadow close pasture and parcell of land in Sproston, comonly called the great meadow, lying beyond the river of Dane neare adioyninge to the said John Amson's tenement within Leighes, which grantor doth clayme by assurance to him made by John Trevett of Sproston yeoman, for a terme unexpired. Dated 12 Aprill 1651. (S^d) John Whittingham. Witnesses: John Amson, William Woodcocke, Hugh Whishall. Plain seal.

One of the Shakerleys married John Amson's daughter.

* * * * *

BULKLEY DEEDS

The connection of the different branches of Bulkley is thus given by Mr. Helsby (Ormerod, iii. 269) :—



The pedigree will illustrate the following deeds, which support it, so far as they go.

MIDDLEWICH, Etc.

The *plumbum*, lead, or phat was the vessel in which salt was crystallized by boiling the brine. The *salina*, or salt work, was the establishment where this process took place; a burgage tenement, carrying with it the right to a supply of brine from the wich, or saltpit, in proportion to the number of its phats. See the account of Droitwich in Nash's *Worcestershire* and the documents there printed.

CXI. [before 1232]

P[eter] clerk of the earl of Chester to Thomas de Croxston. Grant, for his homage and service, of half a salt work of the fee of Roger de Meinwar',

and half another salt work of the fee of Ralph de Brerton, which were given to grantor by Gilbert the chaplain of Middlewich; and of all the land which Hernisius the chaplain held between that which was of William Brun and the water course by the earl's bakehouse, to hold of the grantor and his heirs at a yearly rent of 14s., charged also with 7s. 8d. to the house of the hospital of Jerusalem, with warrant. Witnesses: Lidulf the sheriff, Richard his son, Richard Lokeharm, Richard de Cliue, Henry de Weueria, John de Aculueston, Stephen son of Edrihc, Hingulf son of Machtild, Hugh the smith (*faber*), Richard the clerk. Undated. Seal. . . . M : PETRI CLERICI

CXII. [circa 1230?]

Simon de Neuton to Richard de Wibbinbury. Grant, for his homage and service, of all the land held of grantor by Henry son of Wlfrich in Wichefeld, which is of grantor's demesne, to hold of grantor and his heirs, with common and other easements pertaining to the town of Sutton and Wichefeld, at a yearly rent of 12d., with warrant. Witnesses: Augustin dean of Middlewich, Th. de Warihul, William de Weuere, Henry his brother, Warin de Croxton, John de Aculuist, Henry de Hatishale, Peter de Becheton, Richard Bernard, Henry the clerk of Mottrum. Undated. Seal. . . . SIMONIS DE NEV . . .

CXIII.

Richard, son of Hugh Bossel, to Christian his daughter. Grant of a saltwork in Middlewich, being that which the Abbot and convent of Basingwerk gave to Hugh Boschel father of the said Richard, lying broadways between the saltwork of Richard son of Bate and that formerly of Matthew de Craunach, and longways between the highway and the land of the abbot of Deulacrees. Witnesses: Sir Hugh de Venables and Sir William de Brerton knights, Alexander de Boneville, Robert de Bolkyleg, Thomas Craket, Robert Saney and William son of Simon the clerk. Undated. Seal.

CXIV. [1305]

Richard son of Hugh Boschel of Middlewich to Robert de Bolkylewe, his heirs or assigns. Grant and quitclaim of a salt work of 4 leads in Middlewich, between land late of Richard Payn and land of Thomas Malbol, in consideration of 10s. to grantor 'in his need.' Witnesses: Richard de Rauenescroft, Henry de Swetenham, Simon son of Yngulf, William son of Simon the clerk (*clerici*), Hugh son of Emmot. Dated Middlewich, wednesday the vigil of St. Mary Magdalen 33 Edward [I.] (1305). Fragment of seal.

CXV. [1307]

Thomas son of Richard de Cleyteford to Robert de Bulkylegh and Felice his wife. Grant of a salt work in Middlewich, between that of the abbot of Deulacres and that which Richard Golde held broadways, and longways from the highway to the way leading towards Lonset, and warrant thereof with its appurtenances of 6 leads. Witnesses: Richard de Fouleshurst sheriff of Cheshire, Alexander de Baunuile, John de Coton, Gilbert Dodefin, Hugh Raher, Hugh son of Emmot, Richard de Rauenescroft, Thomas son of Pimcoc. Dated Middlewich, friday after St. John *ante portam latinam* 35 Edward [I.] (1307). Seal: s' THOME DE CLAIT . . .

CXVI. [1308]

Christian daughter of Richard Bussel of Middlewich to Robert de Bulkelegh and Felice his wife, daughter of Henry le Barbour, and Richard son of the said Robert and Felice and to the heirs of the said Richard. Grant of a saltwork of eight leads in the town of Middlewich, which the said Christian had of the gift of Richard her father, lying broadways between the saltwork of Margery formerly wife of Richard Finchet and that of Richard son of Bate, and longways between the highway and the saltwork of the Abbot of Deulacres. Witnesses: Richard de Fouleshurst then sheriff of Chester, John de Coton, Gilbert Dodefin, Stephen Dandi, Henry de Swetenham, Thomas son of Pimcoc, Adam the clerk. Dated at Middlewich, Thursday after St. Gregory 1 Edw. II. (1308). Seal, a peacock: LEEL SVI.

CXVII.

Martin son of Gerveys of Middlewich to Robert de Bulkelegh and Felice his wife and Richard their son. Grant of a saltwork in Middlewich lying longways between the highway and the Wichbrok and broadways between the house of William son of Thomas son of Walter and the saltwork of Richard Ruskin, with a rent of one barbed arrow out of a saltwork which was formerly of Matthew de Craunache in Middlewich by Neweset, to hold to the said Robert and Felice and Richard and the heirs and assigns of the said Richard. Witnesses: Richard de Fouleshurst, sheriff of Chester, Adam del Schagh, William son of John de Coton, Thomas son of Amice, Ralph Selisoule, Thomas Hulesone, Thomas Caus, Richard de Warihull, Thomas Doot. Undated. Seal gone.

CXVIII.

William son of William son of Hugh of Middlewich to Robert de Bulkelegh. Grant of a saltwork with gardens and curtilages in Middlewich, as the ancestors of the grantor held the same, paying two shillings yearly to the lord of the Holt. Witnesses: John de Coton, Adam del Schagh, Thomas de Sladehurst, Thomas son of Amice, Thomas Doot, Richard de Warihull. Undated. Seal with a device of a fleur-de-lys. s' IOHIS DE [MAVNVRVNC ?].

CXIX.

William son of William son of Hugh of Middlewich and Christian daughter of Richard Busschel of the same place to Robert de Bulkelegh and Richard his son and the heirs and assigns of the said Richard the son. Quitclaim of those lands and tenements which the said Robert and Richard had of the gift of the said Richard Busschel and the said Christian and Adam del Schawe of Middlewich. Witnesses: Peter de Calvilegh, Richard del Schawe, Richard de Warihull, John de Boyliston, Thomas Caus. Undated. Two seals.

CXX. 1314

Robert de Mohaut steward of Chester to Richard son of Robert de Bulkelegh, his heirs and assigns. Grant and sale of all the crop of the wood of Netherepeuere, as enclosed, to lop, leaving on every root a trunk, and to lop all the boughs at the fork a man's foot from the trunk, and the top of the trunk where it forks also, and if the crop of any oak be dead he may lop that one

foot below the dead wood, for the space of six years, from St. Michael *in monte Tumba* until 15 days of april be past, with warrant. Dated Middlewich, wednesday after St. Luke Ev. 8 Edward II., 1314. (French.) Seal with arms : a lion rampant—s' ROBERTI DE MOHVAVT :

The purpose of this and the two deeds next following was probably to procure fuel for boiling the brine.

CXXI. [1316]

Robert de Mohaut steward of Chester to Richard son of Robert de Bulkelegh, his heirs and assigns. Grant and sale of all his trees of his wood of Nethyr Peuere great and small, green and dry, standing upon the circuit of the palisade or within it, to cut, lop, sell and carry, or to burn, within the next 8 years at any time of the year, with warrant. Dated Boselegh, sunday before the conversion of St. Paul 9 Edward II. (1316). (French.) Seal with arms (as the last).

CXXII. 1316

John de Wetenale to Richard son of Robert de Bulkilegh, his heirs and assigns. Sale of all oaks within the hedge of his hey of Sparwegreue and upon the dykes and hedges thereof, with two oaks between said hey and the hall of Sparwegreue, to fall from the beginning of winter to the middle of april, and to work, etc., at all times of the year until christmas 1318, with warrant. Dated Sparwegreue, tuesday after the assumption 1316. Seal : a bird.

CXXIII. 1317

Richard Ruskyn of Middlewich to John his son and Rose daughter of William son of Thomas Malbul. Grant in frank marriage of a salt work with 8 leads in Middlewich from that of Martin son of Gervase longways to the leat, and broadways from that of Robert de Bolkylegh to the Mulneweye, to hold of grantor his heirs or assigns to said John and Rose and the heirs between them begotten, with warrant, remainder to the next heirs of the blood, in consideration of 3 marks. Witnesses : Richard de Foulshurst sheriff of Chester, Robert de Bolkylegh, Adam de le Schawe, Adam de Bostoc, John Roer. Dated Middlewich, sunday St. Philip and St. James 1317. Seal gone.

CXXIV. 1318

Robert son of William de Bolkylegh to sir Robert Towchet rector of Middlewich. Grant of all his lands tenements rents etc. in co. Chester, namely in Eyton, Cliue, Codynton, Middlewich, Sutton, Neuton, Hulm and Alsacher, for life, with all his goods, remainder as to lands in Eyton, Alsacher and Codynton to grantor's heirs, as to lands in Middlewich, Sutton, Neuton and Hulm to Richard, grantor's son, and his heirs, with warrant. Witnesses : John de Sapy justice of Cheshire, Richard de Fouleshurst sheriff, Adam de Bostoc, Robert de Croxton, Roger de Toft, John Raher, Adam del Schawe. Dated Middlewich, sunday before St. Bartholomew 1318. Seal.

This charter shows the connection between the Cheadle and Eyton Bulkleys. Sutton and Newton are on the outskirts of Middlewich ; Hulm apparently is Church Hulme, or Holmes Chapel. Eyton is Eaton near Davenham.

CXXV. 1321

Robert son of Martin son or Gerveys of Middlewich to Robert de Bulkylegh and Felice his wife and Richard their son. Grant of a piece of land in Middlewich, together with a salt work in Middlewich, which salt work lies longways between the land of Richard Ruskyn and the high way, and broadways between the land of Robert de Bulkylegh and the road towards Kynder-ton, to hold to them and to the heirs of the body of the said Richard for a term of 24 years from the feast of the Annunciation 1321 at a rent of one rose, and after that term at a rent of 40s. if they wish to hold the premises. Witnesses: Adum de Bostok, John de Coton, John Roer, Thomas Dodefym, Richard de Schagh. Dated at Middlewich, Friday after St. Chad, 1320. Seal. Endorsed: Rob' Martinessone.

CXXVI. [circa 1321]

Thomas son of Hugh son of Pymme of Middlewich to Robert de Bulkylegh and Felice his wife and Roger their son. Grant of half a salt work, lying broadways between the salt pan of Hugh de Venables and the salt pan of Henry de Swetenham, and longways between the highway and a piece of land held by Robert de Bulkylegh, to hold for a term of eighteen years from the feast of the Annunciation 1321, at a rent of sixpence yearly. Witnesses: John de Cotun, Nicholas son of Simon, William son of Nicholas, Richard son of Geoffrey, William the clerk. Undated. Seal with a shield [? quarterly indented]. s' WILLI FIL WARINI.

CXXVII. 1321

Thomas son of Hugh son of Pymme of Middlewich to Robert de Bulkylegh and Felice his wife and Richard their son. Grant of the fourth part of a messuage in the town of Middlewich, lying between the messuage of Hugh de Venables, which Thomas son of Thomas son of Randal holds to farm, and the messuage of the said Thomas the grantor, and between the highway and the garden of Thomas the reeve, together with the fourth part of a salt work lying in Wolreupol, and the fourth part of a meadow between the leat of Middlewich and the land of Margery wife of Richard, 6d. rent out of the messuage of William Tappetrassche, the grantor's share of the same messuage with its curtilage, and of a curtilage which Robert son of Nicholas formerly held to farm: to hold to the said Robert, Felice and Richard and to the heirs of the body of the said Richard, or to the right heirs of the said Richard. Witnesses: Adam de Bostok, John de Coton, John Roer, Henry de Ravenescroft, Richard de Schagh. Dated at Middlewich, Friday in Easter week, 1321. Seal injured. Endorsed: Thomas Hullestone Pimmessone.

CXXVIII. [1330]

John Ruskyn of Middlewich to Richard son of Robert de Bulkylegh and Agnes his wife. Grant of a saltwork with curtilage in Middlewich, between that of Richard de Bulkylegh and the Wichbrok, and between that which William Marchis holds of said Richard and a way leading to the Wichbrok, to hold to Richard and Agnes and the heirs of Richard for ever, with warrant. Witnesses: Robert de Bulkylegh, Richard del Schagh, Richard de Warihull, Nicholas son of Simon, John de Boileston, William son of Michael. Dated

Middlewich, tuesday after the annunciation 4 Edward III. (1330). Seal.
 . . IOHIS

CXXIX. [1330]

Thomas son of Hugh Pymmesone of Middlewich to Robert de Bulkilegh and Richard his son and the heirs of the said Richard. Quitclaim of the moiety of a saltwork in Middlewich which the said Thomas granted to Robert de Bulkilegh and to Felice his wife and Richard their son. Witnesses : John de Coton, Robert de Croxton, John de Lughteburgh, Richard del Schagh, Richard de Warihull, Nicholas son of Simon. Dated at Middlewich, Monday the eve of SS. Philip and James 4 Edw. III. (1330). Seal with a device of a man's head (?). s' IOHIS . . .

CXXX. [1331]

Robert le Fogheler of Middlewich to Richard son of Robert de Bulkilegh and to Agnes his wife. Grant of a salt work with a messuage and a curtilage and the appurtenances in Middlewich, longways between the garden of Richard Batesone and the highway, and broadways between the salt work of Robert del Wodehouses and the garden of Richard son of Michael, to hold to Richard and Agnes and to the heirs of Richard, with warrant. Witnesses : Robert de Bulkilegh, Richard de Warihull, Nicholas son of Simon, Richard del Schagh, William son of Michael, John de Boyleston. Dated Middlewich, tuesday before St. Boniface 5 Edward III. (1331). Seal, with device of a lion rampant. s' RICARDI DE WARIHVL.

CXXXI. [1341]

Richard son of Robert de Bulkilegh to John son of Hugh de Cholmundelegh and to Felice his wife. Counterpart indenture of grant of a saltwork of eight leads in Middlewich, formerly of John de Lughteburgh, which the grantor held by the grant of the said Felice, and of a curtilage in the same town, lying between the lane which leads over against the Holt and the Wichbrok, and between the lands of Robert the chaplain and Robert Kel, to hold for the life of the said Felice. Witnesses : Adam de Bostok, Richard de Croxton, Richard del Schagh, William Swan, Thomas de Sladehurst. Dated at Middlewich, Tuesday after St. Matthias 15 Edw. III. (1341). Two seals with devices.

This Felice is not the widow of Robert de Bulkilegh, for he left a widow named Agnes. See No. cxlvi.

CXXXII. 1349

Richard de Okelegh, chaplain, to William son of William Druri of Middlewich and Margery his wife. Grant of that messuage and two curtilages with a saltwork in Middlewich which the said Richard had of the gift of the said William son of William, to hold to the said William and Margery and to the heirs of their bodies, with remainder to the right heirs of the said William son of William. Witnesses : Richard de Bulkylegh, Richard del Shawe, William de Haregreve. Dated at Middlewich, Tuesday after St. John before the Latin gate 1349. Seal.

CXXXIII. [1375]

William de Bulkylegh of Chedle to William Prydyn chaplain, Robert de Elmeshale, Richard de Pollesworth and Jevan Artiduwell. Grant of a salt work in Middlewich. Dated at the castle of Chester, Monday after St. Giles, 49 Edw. III. (1375). Sealed with a round seal of the virgin and child. AVE MARIA GR'A PL . . .

OCCLESTONE

Near Middlewich: in Domesday Aculvestune. The earlier form of the name is found among the witnesses in Nos. cvii. cxi. cxii.

CXXXIV.

John lord of Ocliston to William son of Thomas son of Emme de Ocliston. Grant of all the land and tenement which Thomas son of Emme, father of said William, and Ellen mother of said William, held in the town of Ocliston with appurtenances, viz. a messuage with curtilage and croft as enclosed by metes and bounds, one selion by the Chircheway, one called the Brodelond between the garden and the high way, 5 butts in the Mulnecroft, one selion called the Brodelond with the Reue in the Mulecroft (*sic*), with one *volatus* in the same town together with an addition (*aumento*) of one selion before his house door, to hold of grantor his heirs and assigns with housbold haybold quittance of pannage in all groves of Ocliston etc., at a yearly rent of 1*d.* at midsummer and two hens at christmas, with warrant. Witnesses: John de le Holt, Richard lord of Croxton, Richard son of Robert of the same, Hugh de Tyuwe, Thomas de Weuere, William de Bostoc, Gilbert Dodefyn, Hugh Raer, William de Wauerton, William the clerk. Undated. Seal broken.

CXXXV. [1318]

John son of William son of Thomas de Ocleston to Margery late the wife of William son of Thomas de Ocleston. Grant of two thirds of the messuage late of said William, grantor's father, in Ocleston, and two selions of land therein, one by the Grenelondes, the other in the Bruggefeld, to hold for her life of grantor and his heirs, remainder to grantor, with warrant. Witnesses: Robert de Bulkylegh, John de Coton, William de Ocleston, Randle de Wauerton, John del Brook. Dated Ocleston, tuesday after the nativity of St. John Bapt. 11 Edward II. (1318). Seal.

CXXXVI. [13 . .]

John de Ocleston to Hamon son of [John?] Dobbesone. Grant of the manor of Ocleston with lands, rents, royalties, etc., and with all his rents and services in the town of Middlewich; also a piece of turbary in Litulstang . . . in Dudfynesmosse, with warrant. Witnesses: William del Holt, William de Bulkylegh, Warin de Croxton, Richard Brotheresone, Richard de Cleyteford. Dated Ocleston, tuesday St. Lawrence' day, . . Edward III. Seal. S. Petri . . steping. (Defective.)

CXXXVII. [1345]

William son of John de Ocleston to Richard son of Robert de Bulkylegh the elder and Agnes his wife and the heirs of their bodies. Quitclaim of all

the land and water they have of the grant of William 'my son' and Christian his wife in exchange for other lands in Ocleston, with warrant. Witnesses : Richard de Somerford, Richard de Croxton, Hugh de Tofte, William de Wauerton. Dated Ocleston, friday after St. Peter *in cathedra* 19 Edward III. (1345).

EDGERLEY, Etc.

See the title Newbold, above.

CXXXVIII.

Ketel son of Gilbert de la More to Robert de la More his lord. Grant that he nor his heirs will not give pledge nor sell the bovate of Eggersley which he holds of said Robert, save to Robert or his heirs, on any necessity. Witnesses : Walkelin de Arderne, William de Boydel, Walter de Arderne, Robert de Pulfort, Ralph son of Richard, John de Lauerket' (Larkton ?), Robert de Belleue, William the clerk. Undated. (No seal.)

CXXXIX.

Robert son of Walter del Heth to Nicholas son of Richard de Troghford. Grant of all his lands etc. within all the bounds of Eggerley at the date of this charter, with warrant. Witnesses : William de Golburne, David de Malpas, William de Broxun. Undated. Seal with arms : a bend between three crescents, with three charges on the bend. s' G[A]UTERI DE [F]ENTONE.

CXL.

Nicholas son of Richard de Troghford to Robert son of Walter del Heth and Auilia his wife and the heirs of their bodies. Grant of all the lands etc. which he had by feoffment of said Robert in Eggerley, remainder to the right heirs of said Robert. Witnesses : William de Golborne, David de Malpas, Ralph lord of Pleymundestowe, William de Broxon, Robert le Bor. Undated. Seal gone.

CXLI.

Robert del Hett to John son of Robert de Berton. Letter of attorney to deliver seisin of all his lands in Mukul Aldreshay to Nicholas son of Richard de Troghford. Undated. Seal with arms, as No. cxxxix.

CXLII. [1425]

Award indented of William of Bulkeley, in a dispute between a Henry of Spurstowe John Williamson of the Heth and Hugh of Cheswys (?) on the one part, and Robert of Bulkeley of the Bryon on the other, for lands in Chestre, Chirchumheth, Mekull Aldreshey and Eggerley, and for goods and chattels that were to John the Tanner of Chester and to 'the saide William';¹ namely that said Robert shall release the lands to said Hugh in fee simple without warrant, and said Hugh shall let those in Mecull Aldresheye to said Robert for life at a peppercorn rent, said Robert delivering up all deeds etc.; said Henry and John to retain the above mentioned goods and chattels received of Ithell Granore, executor to William of the Heth, or Jonet his wife and executrice, and said John to sue the executors for goods undelivered, said Robert aiding in the recovery thereof. Dated 12 june 3 Henry VI. (1425). Seal gone.

¹ William of the Heth father of John is meant, as appears later.

CXLIII. [1426]

Writ addressed to the sheriff of Cheshire, to command John del Heth (son of William del Heth) and Margaret his wife, Henry de Spurstowe and Hugh Cheswys (?) to render to Thomas de Brundeleghe of Wistanston 5 messuages, 100 acres of land, 10 acres of meadow, 10 acres of pasture and 10 acres of wood in Chirchentheth, Eggerley, Aldresay and Chirton, whereof Hormus del Heth (son of Roger del Heth, and cousin of Thomas de Brundeleghe, who is his heir) was seised on the day of his death. Tested at Chester, 27 december 5 Henry [VI.] (1426).

Endorsed by Richard de Werburton, the sheriff, with the name of John de Sonde, surety for plaintiff, and two summoners.

CXLIV. [1454]

Margaret formerly wife of John son of William del Heth to Thomas son of Arthur de Troghford, John his brother, and Robert Spenser clerk. Grant of all her lands, rents, etc., in the towns of Chirchanheth, Great Aldresay, Eggerley, Chirton, Aldefort and in the city of Chester, with warrant. Witnesses: Robert Spender of Qwechirche, Henry Coke of Hoton, Thomas Pycton of Troghford, Richard Fecher of Chirchentheth, Nicholas Johnson of Chirchentheth. Dated Chirchentheth, friday before michaelmas 33 Henry VI. (1454). Seal.

BRIDGEMERE, Etc.

CXLV. [1312]

Henry son of Henry de Briddesmere to William son of Hugh de Gresti, his heirs and assigns. Grant of a piece of his land called Heyne Rudyng in the town of Briddesmere, with the reversion of the dower when it shall fall in, and pasture for all his beasts upon grantor's waste near and far in the town of Briddesmere, so that grantor his heirs and assigns may not enclose, nor William and his heirs have a moiety of any enclosure, rendering services to the chief lord, with warrant. Witnesses: Henry de Thickenes, William the physician, William de Birchor', Richard his brother, Richard the smith. Dated Briddesmere, saturday after the translation of St. Thomas 6 Edward II. (1312). Seal gone.

Alice widow of Henry de Briddesmere was suing for dower in 2 Edw. II. (Plea Rolls).

CXLVI. [1347]

Geoffrey de Denston chaplain to Robert de Bulkylegh of Alstanston the elder. Copy indenture of grant of the manor of Eyton by Daueneham, all his messuages and lands in Briddesmere and Herteforde, and the reversion of all messuages and lands which Agnes late wife of Robert son of William de Bulkylegh holds in dower in the towns of Alsacher Herteford and Codynton of grantor's inheritance and of her said husband's gift with remainder to grantor, to hold to said Robert the elder and the heirs of his body of the chief lords, remainder to his right heirs, with warrant. Witnesses: Philip de Eggerton, Henry de Motelowe, Richard de Hunsterton, William de Northbury, Randle le Bruyn. Dated Eggerton, friday after St. Hilary 20 Edward III. (1347).

* * * * *

HOOLE

Hoole, Newton, the three Troffords, and Dunham on the Hill, or Stony Dunham, are a group of villages lying near Chester on the north and east. They are therefore grouped together. There is nothing to connect these deeds either with the Grosvenor or the Bulkley series, though the Winningtons (who were co-heirs of Grosvenor of Holme) appear to have had some interest in Newton.

CXLVII. [1333 ?]

Philip de Hole to David de Hadelegh, citizen of Chester. Grant of two pieces of land in Hole, which John de Ines and John del . . . ston¹ of Chester formerly held for a term of years, one by the road from Chester to Troghford, the other by land formerly of Robert de Maclesfeld and extending to Wyr-haleswey, also common of pasture and turbary, housbote and haybote, etc., with warrant. Witnesses : David de Eggerton sheriff of Cheshire, Robert de Huxlegh, William de Coton, William de Hadelegh, James de Coughhull, Philip de Prestelond, Robert de Sutton, Henry the clerk. Undated. Defective. Seal gone.

A Philip de Hole occurs 33 Edw. I.; but David de Eggerton was sheriff (according to the list in Helsby's Ormerod) in 1333. Henry the clerk occurs in 1335, James de Coghull 1345. Nos. cliii-v.

¹ ? Crokeston. Only the bottom of five letters remains.

CXLVIII. 1369

Thomas Taylour and Alane de Hadelegh his wife to Sir Hugh de Hibernia, chaplain of the parish church of Tatenale, and sir Richard le Roter, chaplain of the parish church of Codynton. Quitclaim of land in the town of Hole (which Thomas Palmer and Maude his wife had of their feoffment) for a sum of money paid, with warrant. Witnesses : David de Beeston, William de Cholmundelegh, Richard de Spurstowe, John Rathebon, Ken' de Cholmundelegh. Dated Malpas, thursday before St. Alban M. 1369. Seal (? armorial).

CXLIX. [1372]

Hugh de Hibernia, formerly chaplain of Tatenhale, to John de Neubold chaplain, and Simon formerly priest of Hanlegh. Grant of 4 acres of land in Hole called Haddeleyslond, with warrant. Witnesses : Richard de Huxlegh, John de Rosumgreue, Richard de Herthull. Dated Chester, sunday before St. Alban 46 Edward III. (1372). Seal gone.

CL. [1373]

John de Newbold and Simon de Yoksale chaplains to Alexander le Belle-yotter citizen of Chester. Grant of the moiety of a field in Hole called Hadelegh-feld, with warrant. Witnesses : Lawrence de Dutton knight sheriff of Cheshire, John de Scolehall escheator of Cheshire, William de Troghford, John Adamson citizen of Chester, John de Hole. Dated Hole, the vigil of the assumption 47 Edward III. (1373). Two seals.

NEWTON NEAR CHESTER

CLI. 1244

Philip son of Hamund son of With de Neuton to William son of Cecily 'my wife.' Grant made in the abbot of Chester's court of a moiety of his land in the field of Neuton, with his hall etc., with toft and croft and orchard etc., to hold to him and his heirs only during grantor's life, and afterwards to whomsoever he will give or sell it, at a yearly rent of 2*s.* to grantor and his heirs, with warrant. Witnesses: sir Nicholas de Winleie constable of Chester, Adam the vintner and Richard Bovnz sheriffs of Chester, Richard de Kyngesleie, Adam de Heselbi (*sic*), William son of Kenwreich de Neuton, Hugh de Hool. Dated 1244, tuesday before Easter, at Chester. Seal. (Beautifully written.)

CLII.

William son of Philip son of Hamon de Neuton to Robert his brother. Grant of a moiety of his land in the town and territory of Neuton, to hold of said William and his heirs, with a moiety of the messuage etc., at a yearly rent of one pair of white gloves at midsummer and 9*d.* at the same term, and 9*d.* at martinmas to the chief lord, in consideration of half a mark, with warrant. Witnesses: Hugh de Hola, Robert de Trohford, Gilbert de Neuton, William le Brun, Walter de Piketon, John de Sutton, Elyas the chaplain. Undated. Seal gone.

CLIII. [1335]

Robert son of Robert de Neuton to John de Snelowe, citizen of Chester. Indenture of grant of 7 selions of land in the field of Chester, 5 between lands of St. Werburgh's abbey and William de Shauynton broadways, and between lands of said abbey longways, and two between lands of said abbey broadways, and longways between lands of said abbey and Flokesbrok, to hold of grantor and his heirs for 24 years at a yearly rent of one rose at midsummer, afterwards at a yearly rent of 100*s.*, with warrant. Witnesses: Richard Erneys, Warin le Blound, Hugh de Brichull, John Dunfoull, John de Brichull, Henry the clerk. Dated Chester, thursday after michaelmas 9 Edward III. (1335). Seal, a fleur de lys.

CLIV. [circa 1335]

John de Snelowe to Robert de Neuton. Indenture demising to farm 7 selions of land in the field of Chester, which he had by grant of said Robert, to hold of grantor and his heirs to Robert his wife and children for 24 years from 12 October 9 Edward III. (1335) at a yearly rent of 13*s.* 4*d.*, with warrant. Witnesses: Richard Erneys, William de Shauynton, Hugh de Brichull, Warin le Blound, Richard Reymund, Henry the clerk. Undated. Seal.

CLV. [1345]

Robert de Neuton to Robert 'my son' and Isabel his wife, daughter of Richard son of Thomas de Salghton. Indenture of grant of a grange and the third part of an orchard and curtilage, with 13½ selions of land in Neuton by Chester, to hold to Robert the son and Isabel and the heirs of their bodies of grantor and his heirs by the service of one rose, doing the services

due to the chief lords, with warrant. Witnesses : James de Coghull, Roger his son, William Toront, John de Wyruyn, William de Picton, John his brother, Richard Corbyn of Sutton. Dated Neuton, friday the morrow of St. Tyburtius and St. Valerianus M., 19 Edward III. (1345). Seal.

CLVI. [1345]

Robert de Neuton to Robert son of William de Picton. Grant of all his lands in Neuton by Chester, with warrant. Witnesses : James de Coghull, Roger his son, William Toront, John de Wyruyn, William de Picton, John his brother, Richard Corbyn of Sutton. Dated Neuton, monday after St. Tyburtius and St. Valerianus M., 19 Edward III. (1345). Seal.

CLVII. [1345]

Robert son of William de Picton to Robert de Neuton. Grant indented of all the lands in Neuton by Chester which he had of the feoffment of grantee in his charter contained, to hold for life of the chief lords, remainder to Robert son of said Robert de Neuton and his heirs by Isabel his wife, daughter of Richard son of Thomas de Salghton, remainder to the right heirs of said Robert de Neuton. Witnesses : James de Coghull, Roger his son, William Toront, John de Wyruyn, William de Picton, John his brother, Richard Corbyn of Sutton. Dated Neuton, monday St. Mark Ev. 19 Edward III. (1345). Seal.

CLVIII. [1352]

Robert de Neuton to William son of William son of Nichole de Salghton. Grant of all his messuages, lands, etc., in Neuton by Vpton, with warrant. Witnesses : William de Golburne, Edmund de Coton, Roger son of Roger de Coghull, Philip de Prestelond, William Toront. Dated Neuton, wednesday St. Peter *in cathedra*, 26 Edward III. (1352). Seal gone.

CLIX. 1398.

Robert son of Robert de Newton and William Brown of Newton. Indenture whereby said Robert to farm lets to William and his wife, their heirs and assigns, one messuage two bovates and two selions of land in the town and territory of Newton, for 10 years from martinmas 1398, at a yearly rent of 42s., with warrant. Witnesses : Richard de Manlegh, John le Venables of Sutton, Randle de Cotgreue, John le Massy of Kelshale, Robert de Prestlond. Dated Newton, the vigil of all saints, 1398. Seal.

STONY DUNHAM

CLX. [1240-1]

Secilia daughter of Adam de Donam and William son of Richard de Troghforde. Final concord made 25 Henry III. in the county court of Chester, before John Estraneus justice of Chester, Roger de Borewardeleye constable of Chester castle, Roger de Mohaut steward of Chester, Warin de Vernon, William de Vernon, Hamon de Masey, William de Malpas, Walkelin de Ardern, etc. ; whereby Secilia quitclaimed to William all land she had or might have of her inheritance in the town and territory of Donam, whereof she was impleaded by him; and said William his heirs and assigns shall do ser-

vice to sir John Fitzalan : consideration one mark. Witnesses : sir Randle de Thornton, Richard de Kingesl[egh], Richard le Brun, Adam de Hellisbi, John de Hauekistan, Hugh de Hole, Nicholas serjeant of Troghford, Thomas the clerk writer hereof. Seal. s' SISELLIE FIL' ADE.

CLXI. [1260-80]

William called the Reeve of Donam to William son of Richard le Brwne, for his homage and service. Grant of $9\frac{1}{2}$ arable lands (*landas terre*) in Donam, namely one long one by the Huttegrewe, one called the Wallleslond, half a one called Woaslond, a butt called the Cubutte in Wycharishulle, half a lond which is pikealland extending to the Brokefeld, one by Barwelydeyate, one by the cross, and one headland next land of Roger de Barwe, the moiety of one in Mutforlong, that next the land of John son of Lawrence, the moiety of one in Cullegrewe, the *costa* (bank ?) towards the Sondeway, half a one in a croft by the land of Roger de Barwe, half a one in the Brodelondes next the land of Randle Wade, half a one in the Quitefeld next the land of Ralph son of Hugh, half a one by the Londing, a great butt in Grenewaygrewis, with all buildings lying in the town of Donam between land of Hugh son of Philip lord of Apisfort and of Roger de Parva Barwe, and a barn between land of said Roger and of Robert and Adam sons of Adam son of Robert, to hold of grantor and his heirs, at a yearly rent of 8*d.* to Richard son of sir John Fitzalan for all service saving that pertaining to the lord's court, namely suit (*sequelam*) of court of the said town of Donam, with warrant. Witnesses : Peter le Roter lord of Thorneton, Robert lord of Troffort, Robert de Mottrom, Richard le Roter of Thorneton, Robert de Apisfort, Robert the clerk of Frodesham. Undated. Seal. s' WILL'I [FIL' ?] R' D' DONU'.

CLXII. [After 1300 ?]

John de Pilkinton and Agnes daughter of Richard de Hole his wife to William son of Richard le Brun of Stony Donam. Grant of the third part of a curtilage in Stony Donam, late of Richard son of Richard de Hole, and $2\frac{1}{2}$ selions of arable land there, one in Muclefurlong between land of Alexander son of Randle and of Randle son of Alexander, half a selion between land of Thomas son of Richard de Aston and of John the carpenter, half a head selion upon the Wohutlond late of Richard son of Richard de Hole, and half a selion between land of William le Brun and of John son of Hugh, with warrant. Witnesses : Peter de Thornton, William de Hellesby, Robert le Brun of Stapelford, Robert de Elton, Richard le Brun de Trofford, John de Hole. Undated. Two seals, one small shield shaped ; the other s' ANGETIS FIL' RIC, but indistinct.

CLXIII. [After 1300 ?]

Alan son of Randle de Donham to William son of Richard le Bruyn of Donham his heirs and assigns. Grant of a messuage and $4\frac{1}{2}$ selions of land with the meadow thereto pertaining in Donham, whereof one selion called the Mypartilond lies in the Brocfeld between land of John the carpenter and John son of William, another abuts upon the heath, one lies upon Mukelfurlong between land of William le Bruyn and Adam son of Filota, half a selion lies upon Hongerhull, half a selion at the Haspenegrene, half a selion

upon Grathannesfeld, a piece of land called a 'ferthing' in the croft abutting upon the said messuage, and one called half a 'ferthing' by land of William le Bruyn in the Brocfeld, with warrant, in consideration of 5*l*. Witnesses : John de Legh, Peter de Thornton, Robert le Bruyn of Stapilford, Henry Doun, William de Hellisby, Richard le Bruyn of Trofford, William the clerk. Undated. Seal. s' ALANI : FIL' RANULFI.

CLXIV.

Robert son of Richard de Hapisford and Alice his wife to William son of Richard le Bruyn of Donham his heirs and assigns. Grant of all their lands and tenements in Donham, with warrant : consideration 46*s*. Witnesses : William de Venablis, Richard le Roter, William de Trofford, Henry Doun, William de Hellesby, John son of Walter de Frodesham, Robert de Elton, Robert de Manlegh, William the clerk. Undated. Both seals gone.

CLXV. 1324

Agnes late the wife of John de Pilkinton to William le Brun of Donham and Alice his wife. Grant of 1 $\frac{3}{4}$ selions with her share of Manmeduwe and Louelake meduwe in Donham, whereof one selion lies upon the rake called the Sondiwey, half a selion abuts upon the Dichelewes, and a quarter of a selion lies upon Hongrel, to hold to William and Alice and the heirs of their bodies, remainder to the right heirs of said William, with warrant. Witnesses : Peter de Thorinton, Roger le Brun of Stapelford, Robert son of Thomas de Elton, Richard Doun of Crounton, Peter de Wetenale clerk. Dated Chester, St. Gregory's day, 1324. Seal gone.

CLXVI. [1399]

David le Bruyn of Stony Dunham to Robert Bythewall of the same and Beatrice his wife and the children of their bodies. Grant to farm indented of all his lands and tenements in Stony Dunham by Happesford for term of their lives, at a yearly rent of 7*s*., with warrant. Witnesses : Richard de Manley, William le Venables of Trofford, Richard le Boore, William de Froddesham, John de Lee. Dated Stony Dunham, St. Philip and St. James' day 22 Richard II. (1399). Seal.

TROFFORD

There are several villages of this name, Mickle Trafford, Wimbolds Trafford and Bridge Trafford, lying between Hoole and Dunham on the Hill. The last was the seat of a family named Troghford or Trafford (not to be confused with the Lancashire Traffords), for whom see Edgerley and Dunham.

CLXVII. [1261-7]

John de Flury lord of Clafford to Hugh de Flury his son. Grant indented of all his land in the vill of Trofford which he had in frank marriage with Joan his wife, to hold of grantor, his heirs and assigns, to said Hugh and his heirs by his now wife, at a yearly rent of one pair of white gloves value 1*d*. at midsummer, remainder to his next brother, with warrant. Witnesses : sir Roger Dunuile, sir Patrick de Haselwal knights, William de Cyfton (?), Hugh de Hole, William de Goldburn, Richard the clerk mayor of Chester, Richard

Payn, Adam Godewayt. Undated. Seal, an engraved gem, with lion, tied with silk.

CLXVIII. [Before 1289]

Giles son and heir of John de Flury to William de Tytneleye. Grant of all the land which said John the father had, in the town of Trochford or without, in frank marriage with Joan grantor's mother, to hold of grantor and his heirs at the yearly rent of one rose at midsummer, with warrant. Witnesses : Robert de Hoxleye, Hugh de Hatton, John de Mersinton, Hugh de Puleford, William de Golburne, Thomas de Aldelime, Richard de Pyuelesdune, Henry de Schauinton, Richard de Hatton. Undated. Fragment of seal.

Titley is in the extreme south of Cheshire, beyond Audlem, and near Shavington in Shropshire.

CLXIX. (Before 1289]

Giles son and heir of John de Flury to William de Tyttlegh. Grant for his service of all the land which grantor's said father had in frank marriage with Joan his mother within the town of Trochford and without, to hold of grantor and his heirs at a yearly rent of one rose at midsummer, and three halfpence or one pair of spurs to the chief lords, with warrant. Witnesses : Robert de Hoxleye, Hugh de Hatton, John de Mersinton, Hugh de Pulford, William de Golborne, Thomas de Aldelime, Richard de Pimeldone, Henry de Schaynton. Undated. Seal wrapped.

CLXX. [circa 1320]

Sir Thomas de Tytneleye and Hugh son of Hugh de Sutton. Indenture of lease of . . . mes' and 4 bovates of land with meadow adjoining in Mickle Trofforde for 20 years beginning at michaelmas 14 Edward II. (1320) at a yearly rent of 2 marks to sir Thomas his heirs and assigns, and the services due to the chief lords ; and whenever sir Thomas or his heirs come thither the said Hugh shall find housing, firing, litter, hay . . . for 6 horses (half a strike daily for each), with covenant for forfeiture upon default, and warrant clause. Witnesses : sir Robert de Holondo, justice of Chester, William de Mobberleghe, sheriff, John de Legh, Matthew de Hulgreue, William de [Coton ?], clerk. Undated. Seal with arms : a chief. SIGILLVM SECRETI. (Defective.)

TILSTON : CARDEN

CLXXI.

Thomas de Caurthin to Hugh his son for his homage and service. Grant of all his share (viz. one half) of the town of Tillistan with liberties etc., saving to grantor three half lands (*land*?) therein, in the field called Polfurlong between land late of William de Strete on either side, with the patronage of a moiety of the church, to hold of grantor etc., to Hugh his heirs and assigns, with liberties in mills, pleas, reliefs, etc., at a yearly rent of one pair of white gloves and 1*d.* at midsummer, with warrant. Witnesses : Robert de Bulkileg', Robert de Cholmundeleg', Thomas de Herthul, William de Brex', Hugh de Bikertun, David de Egertun, Philip de Sokeleche, Henry de Brueria, Richard son of Thomas de Kaurthin, David and Thomas his brothers, David son of Peter de Tillistan, Hugh the miller. Undated. (No seal.)

CLXXII.

William son of Thomas de Caworthin to Hugh de Caworthin his brother, his heirs and assigns. Quitclaim of all lands lordship etc., within the town of Tillistan or without, which Thomas his father granted to said Hugh by charter, saving a tenement there which said Hugh in consideration hereof has granted and quitclaimed to said William and his heirs, viz. his share of a croft called Polfurlong with three messuages thereto belonging, one late of Hugh de Graftun, another of Kenewrek the miller, the third of Hova son of Wronu, with a moiety of the old mill and one-fourth of the middle mill, housbold, haybold of timber and earth in the waste of Tillistan outside the hedges, and quittance of pannage in the wood for the inhabitants thereof. Witnesses: Robert le Brun of Stapelford, William de Brexis, Hugh de Bikertun, Patrick de Bartun, Richard de Caworthin, Philip his brother, David de Caworthin, David son of Peter de Tillistan. Undated. (No seal.)

CLXXIII.

William son of Thomas de Caworthin to Hugh de Caworthin his brother, his heirs and assigns. Grant and quitclaim of a seylyon in the town field of Tillistan called Bradelond with the patronage of a moiety of the church, to hold of the chief lords of the town by the same service as said Hugh holds his other land therein, with warrant, in consideration of the grant of a croft in said town called Polfurlong with half the old mill and a quarter of the middle mill to said William and his heirs. Witnesses: Robert le Brun of Stapelford, William de Brex', Hugh de Bikertun, Patrick de Bartun, Richard de Caworthin, Philip his brother, David de Caworthin, David son of Peter de Tillistan. Undated. Seal, with device of a cross formy fitchy (not upon a shield).
s' · WIL' · DE · KAVR'.

CLXXIV.

Hugh son of Thomas de Cawyrthyn to Thomas his son. Grant of the land which David son of Ythenard formerly held of the said Hugh in the town of Tilstan, with the cottages upon the said land, at a rent of one pair of white gloves and one penny. Witnesses: Robert le Brun, William de Brex' and Robert his son, Patrick de Barton, Richard de Cawyrthyn and Philip and David and Thomas his brothers, Philip son of David son of Peter de Tilstan, Hugh the miller of Tilstan, Hugh the clerk. Undated. Seal of a griffon.
s' HVGONIS : FIL : THOME.

CLXXV.

Thomas son of Hugh de Clutton to Thomas his son. Grant of the land and tenement which David son of Hugh the miller formerly held of him in Tylston, with quittance of pannage and stallage for him and his tenants, housbolt heybolt and fire bote (*fovalti*) in the groves of Tylston, as freely as grantor's father gave it by charter, to hold of the chief lords, the reversion to grantor if said Thomas die without lawful heirs, with warrant. Witnesses: David de Barton, William de Mulneton, Richard de Caurthyn, Robert clerk of Codinton, Thomas son of Richard de Caurthyn, Hugh the clerk. Undated. Seal.

CLXXVI. [1465]

Thomas Smyth parson of Tilston and Randle de Caurthyn to John le Rede. Grant of a messuage and lands adjacent, which they had by feoffment of David son of Thomas le Rede in Over Caurthyn, with warrant. Witnesses : John Leche, ... de Caurthyn, Hugh de Wauerton, John Brid, William Brid. Dated Over Caurthyn, thursday after St. Thomas M. 5 Edward IV. (1465). One seal with bird : the other gone.

TARPORLEY

CLXXVII. [1291]

Reynold de Grey to Walter de Thorperlegh clerk, for his service. Grant of 10 acres of land in the territory of Thorperlegh, in a place called the Netherwode which grantor formerly held imparked, between land of Nicholas the clerk and of Robert the cook, to hold of grantor and his heirs, with liberty to assart cultivate etc., at a yearly rent of 8s. 4d., with warrant. Witnesses : sir Ralph de Vernun, sir Hamon de Mascy, sir Richard de Mascy knights, William de Preers sheriff of Cheshire, William de Bunnebury, Robert le Grosvenur, Matthew de Alpram, Nicholas the clerk. Dated Chester, saturday after the translation of St. Thomas M. 19 E[dward I.] (1291). Seal, with shield : arms indistinct. Finely engrossed.

CLXXVIII. [1304]

William son of Walter de Torporlegh to Henry son of Matthew de Hulgreve. Grant of ten acres of land in Torporlegh in a piece of land called the Netherwode, at a yearly rent of 8s. 4d. to be paid to Reynold de Grey. Witnesses : William Trussel justice of Chester, Robert de Brescy sheriff, Hugh de Calvilegh, Roger de Spurstow and William of the same, Richard Down, Richard Darnal of Torporlegh. Dated at Torporlegh, monday before St. Barnabas, 32 Edw. I. (1304). Seal gone.

GODLEY

CLXXIX. [1325]

Joan late wife of Robert de Godelegh, son of Henry de Godelegh, in her widowhood, to sir William de Baggelegh knight and his heirs. Quitclaim of all lands and tenements, and of all places which pertain to the town of Godelegh ; also of 10s. yearly rent for which he was bound to her. Witnesses : Richard del Brom, William de Tatton, Richard de Tatton, Thomas de Baggelegh, Richard de Rigewaye, William son of Roger de Bredburi. Dated Baggelegh, monday after St. Peter *ad vincula* 19 Edward II. (1325). Seal.

CLXXX. [1408]

Richard de Mascy of Sale. Inquisition *post mortem* taken at Macclesfeld on monday after the exaltation of holy cross 9 Henry IV., finding that he died seised of no lands in co. Chester, and held nothing of the earl or any other, for that Roger son of Robert de Mascy, long before his death, entered the lands which were of the said Richard in Godley, claiming them as his inheritance ; which lands are held of John Lovell knight, as of his manor of

Tyngetwesull, by knight service, yearly value 10*l*. Richard died on sunday before St. James Ap. last : Ellen, Joan and Margaret are his daughters and heirs, Joan aged 24, Ellen 30, Margaret 20. See Ches. Inq. 9 Hen. IV. No. 16.

CLXXXI. [1419]

Robert de Dauenporte of Bromall to Robert Starlyng of Chedle and Alena his wife, their heirs and assigns. Quitclaim of a moiety of the lands and tenements which were late of Robert le Massy father of Alena in Chedle, with warrant, provided that such warrant shall not bind Dauenporte or his heirs upon voucher or in action of *warantia carte*, but only bar him and his heirs from the said lands. Dated sunday after St. Mary Magdalen 7 Henry V. (1419). Seal : a sheaf.

MISCELLANEOUS: CHESHIRE

Worleston, Shavington, Leighton and Buerton, to which the next four charters refer, are in the southern part of the county, near Nantwich and Bridgemere (see Nos. cxlv., cxlvi.). Lawton is not far distant. Mollington is near Chester; Tattenhall on the other side, towards Tarporley; Manley and Mouldsworth to the north-east, in the direction of Stony Dunham. There is nothing ostensible to account for the presence of these deeds in the collection.

CLXXXII. [circa 1260?]

Hugh de Langeford (by assent of Maud de Worleston his wife) to Hugh de Hunkelawe and his heirs. Grant, for his homage and service, of two bovates of land in Worleston which Robert de Lockendale held, to hold of grantor and his heirs at a yearly rent of 4*s*. and one pig for all save foreign service, with warrant. Witnesses : sir William the chaplain of Wich, sir Robert de Praeris, sir Michael (*sic*) de Langeford, Peter de Stapell', William de Wistaneston, Philip the clerk, Robert de Bebinton, Richard de Berdirton, John de Langeford, Henry de Mere, 'and moreover all my court of Worleston, and others.' Undated. Seal gone.

The lady of Worleston's first husband was a Coudray, and had interests in Newton near Chester. Compare No. cxcv.

CLXXXIII. [1310]

Thomas son of Peter de Buyrton to Joan daughter of Henry de Stapelegh. Grant of a bovat of land in Schauyngton which grantor had of his said father's gift, with warrant. Witnesses : William de Praers, William Chany, William de Wistaneston, Richard de Rop, Hamon de Wistaneston, Richard de Bosco, Richard the clerk. Dated Schauyngton, friday before all saints 4 Edward II. (1310). Seal gone.

CLXXXIV. 1319

Thomas son of Thomas del Broc to Thomas his son and Katherine daughter of Hugh de Erdeswyk. Grant of all land, buildings, rents, etc., of the gift of his father in the town of Leghton, as by metes and bounds, to hold to Thomas and Katherine and the heirs of their bodies, remainder to grantor and his right heirs, with warrant. Witnesses : William de Mobburlegh sheriff of Cheshire, Thomas de Erdeswyk, Richard de Munschull, Richard

del Broc, Randle de Leghton. Dated Leghton, sunday after the nativity of St. John Bapt. 1319. Seal gone.

This charter makes havoc of Mr. Helsby's attempts at the pedigree of Brooke of Leighton. See Ormerod, iii. 454.

CLXXXV. 1373

Elizabeth late the wife of Adam de Buyrton, in her widowhood, to Richard del Hogh and Joan his wife. Grant of all her lands which she had at the date hereof in the town of Buyrton, and which formerly were of Nichole daughter of Philip de Wouere (*sic*), with warrant. Witnesses : Lawrence de Dutton knight sheriff of Cheshire, William de Praers, Robert de Fouleshurst, Randle de Leghe, William del Hogh. Dated Buyrton, sunday after St. James Ap. 1373. Seal : a catherine wheel.

This is the southern Buerton, near Audlem, not near Aldford. Ormerod erroneously reads 'Nicholas son of Philip' (iii. 473).

CLXXXVI.

Roger son of Roger de Moldeword to Stephen son of Richard of the mill. Grant in frank marriage with Alice his daughter of all the land which grantor held of Roger de Manlegh and his heirs in 'the same town,' to hold of grantor and his heirs to Stephen and Alice and their heirs of the body of Alice, with all easements to the said town of Manlegh belonging, hosebote and haybote in the wood of Manlegh, and quittance of pannage, at a yearly rent of 1*d.*, remainder to grantor and his heirs. Warrant of said land and rights of way. Witnesses : Roger son of Ralph de Kelsal, Adam *procurator* of Teruen, Hugh son of Adam of Great Barewe, William son of Robert de Ascheton, Richard son of Adam de Kelsal, William de Barewe, clerk. Undated. Seal gone.

Compare No. cxcii. below. Great Mouldsworth and Manley are adjoining townships.

CLXXXVII. [1297 ? or 1351 ?]

Sibil formerly wife of John de Thurlewode to Thomas her brother. (Copy) deed of gift of all her goods, etc., for 5*s.* paid. Dated monday before the nativity of St. John Bapt. at Lautun, 25 Edward.

CLXXXVIII. [1361]

Sir John Tuchet knight, lord of Tatenale, and Philip son of William Filkyn. Indenture witnessing that the said John has given and granted to the said Philip and the heirs of his body six acres of land, whereof five acres lie in Russhaleheye and one acre in the Sonderudding in the town of Tatenale, at a rent of eighteen pence. For this grant the said Philip has given and granted to the said John and to his heirs and assigns, in exchange, six acres of land and meadow lying upon Russhalesfeld, Brokforlong, Holmes Hull, Mydelforlong, Crowenest, Byrches, Sydenale, Sortecroft and Bruches in the said town of Tatenale. Witnesses : Henry de Buyston (*sic*), David de Eggerton, John de Belegreve, Robert Godemon. Dated at Tatenale, Thursday after St. Andrew 35 Edw. III. (1361). Seal with arms—an ermine shield with a cheveron—s'IOHANNIS . . . HET.

CLXXXIX. 1369

Robert bishop of Coventry and Lichfield to the deans of Middlewich, Wich Malbank and Newcastle. Mandate to admonish in every church of their deaneries, wherein they shall be required so to do on behalf of Beatrice wife of William called de Lauton Maresshall, upon three sundays or feast days, all who are detaining or concealing charters letters and muniments concerning the right and inheritance of said Beatrice in the town and territory of Lauton, or fabricating charters indentures instruments or muniments to the detriment of her right, (provided their names be unknown to said William and Beatrice) to disclose the same and cease from such fabrication within 15 days, upon pain of excommunication. Dated Heywode 3 *id. julii* 1369. Seal gone.

See the Plea Roll of 51 Edw. III. m. 16.

CXC. [1397]

Randle de Merbury of Overwalton *v.* Geoffrey Huchunsone de Werburton. Writ, tested at Chester 10 April 20 [Richard II.] by Thomas Earl Marshal and of Notyngham justice of Chester, directing an inquisition to be taken upon the plaint of said Randle that he has been disseised by the defendant of his common of pasture and of fishery pertaining to 3 messuages one carucate and 15 acres of land and 4 acres of meadow in Netherwalton, whereof he recovered seisin by judgment of the court of Chester. Endorsed with the inquisition thereupon taken before Robert de Legh knight sheriff of Cheshire, and Peter de Whyteleghe coroner of the hundred of Buclowe, by Robert de Mascy of Preston, John son of William de Tatton, Richard le Cokker, Thomas de Sale, Henry de Moston, William de Kenworthey, Thomas Tochet, Hugh Scot, William de Lyuressegge, Matthew de Legh, Thomas Starky of Stretton and Hamon de Asshelegh, who find that defendant did not disseise plaintiff as alleged.

CXCI. [1406]

William Venables of Kynderton and John Doune of Utkynton to John son of William Chayne knight (*militis*) of the county of Caumbrug' and Nicholas Parys. Grant of all their lands, rents and services in the town of Molynton Terrent, co. Cheshire, formerly of William Torront, with warrant. Witnesses: John de Knyghteley lieutenant of Cheshire, John de Pulle knight, Thomas del Hogh, Hamon Mascy of Podynton, John de Capenhurst. Dated Molynton Torront, St. Scolastica V. 7 Henry IV. (1406). Seal.

CXCI. [1530]

William Manley of Manley esquire to Richard Sneyde esquire. Grant for 50 marks of two messuages with appurtenances in Great Moldworth co. Chester, and all the lands, moors, woods, marshes, etc., to the same belonging, in the several tenures of Roger Sarrott, Thomas Sarrott and Thomas Both, with warrant; appointing William Molyneux and William Sarrott attorneys to deliver seisin. Dated 24 april 22 Henry VIII. (1530). (S^d) W. M. Seal. w. Compare No. clxxxvi. above.

CXCI. [1589]

Thomas Tettnall of the Inner Temple near London gentleman to John Mere of Mere co. Chester esquire. Counterpart of a deed, reciting a grant

in fee farm by the crown to William and Thomas Kerkham of Greisem gentlemen, by patent of 15 June 29 Eliz., of all lands concealed, encroached, or enclosed upon the queen's wastes or commons in co. Chester, and a bargain and sale thereof by them to said Thomas, dated 23 May 30 Eliz.; and assigning over certain parcels thereof, viz. those called the intacks upon Rudheath, Winkell, Wartons, Boeth, Overs, Dauenharn, Newton, Randmoer, Haughton, Hawksmoer, Vtkinton, Clotton, Helsbie, Manley, Norley, Ashton, Aston, Aughton, Moldsworth, Kingsley, Doddon, Kelsheuw, Tarvyn, Shotwycke, Caponhurst, Willeson, Littell Coddington, Budworth, Hardinge, Warlsson, Chomson, Stoke, Moseley, Wardell, Wymbesley, Croton, Plomley, Lostocke, Howse, Pevens, Tableys, Marpowle, Maxfield, Nantwyche, Pott, Disley, Holford, Wettall, Sale, Crossestrete, Fradsham and Eaton, and lands belonging to the chantries and chapels of Bartamley, Haslington, Nantwyche, Mydleswyche, Newton, Prestbery, Chederycke, Maxfield, Pott, or to superstitious uses, subject to the fee farm rent. Dated 13 august 31 Elizabeth (1589). (S^d) John Mere. Seal, with an antique gem.

CXCIV. [1617]

John Eaton gentleman. Inquisition *post mortem* taken at Middlewich 3 Oct. [15 and] 51 James before Hugh Maynwaring esq. deputy escheator, by virtue of a writ of *mandamus*, finding that said John was seised of . . . lands in Great Budworth co. Chester, 7 messuages, one cottage and lands in Comberbach, and a messuage and land in Over Walton, and reciting an indenture dated 1 Sept. 3 James I. between said John and George Rutter of Kingsley gentleman, whereby in consideration of a marriage to be had between Richard, his son and heir apparent, and Elizabeth Rutter, one of the daughters of said George, and of 140*l.* (which marriage was solemnized), said John covenanted to enfeoff Thomas Rutter of Clotton and John Nuttall of Cattenhall gentlemen, to uses, which he afterwards did: that the lands in Budworth and Comberbach are held in chief by the service of the fortieth part of a knight's fee and a rent of 7*s.* 11*d.*, value . 3*l.* 11*s.* 10*d.*, those in Over Walton of John Danyell, service unknown, value 8*s.* 8*d.*; and that Richard Percyvall has taken the profits until now; that said John died 4 July . . James I., and John son of said Richard Eaton is his grandson and heir, and aged 4 years . . . and 27 days; and that Jane wife of said John is yet living. (Defective.) See Cheshire Inq. 15 James I. No. 4.

OTHER COUNTIES

CXCv.

Randle de Wirale to Benedict de Coudray and his heirs. Confirmation of the grant made by Randle de Coudray, father of Randle, to Richard de Coudray and his heirs of one bovat of land in the town of Hulm which said Benedict holds; and further grant of that bovat in the same town which William Witnesses: William de Hippestan, William de Chetelton, Randle de Langesdon, Richard de Bradezah, Henry de Forde, Henry de Tetisworth, Adam de Ruston, Randle de Hulm, Walter Coudray, Hugh the chaplain. Undated. Seal gone. (Defective.)

This charter is attached to several Allostock deeds; but the place to which it refers would appear to be in Staffordshire. Compare the Dieulacresse

charter, No. cviii. The first husband of Maud de Worpleston of 1318, No. clxxxii., was a Coudray.

cxcvi. [1291 ?]

Henry de Tildesley to Adam his son and his heirs. Grant [and attornment of Henry the mason (*cementarius*)], formerly grantor's tenant, and the service of him and his heirs, and a [rent of 13*d.* contained] in a feoffment (herein recited) made by grantor to Henry le Mascun of formerly held of him [by Adam Clerk and William] his son, bounded by a dyke on the south in the town of Tildesley at the rent aforesaid, witnessed by William de Adhirton, Richard de Urmeston, Richard de Bra [Gili]brond. Witnesses: Alan le Norrays, Gilbert de Halsal, Robert de Eccleston, Ni master Richard de Redinalis. Dated Leythe church, sunday Bp and M. . . 91. Seal gone.

Defective. Attached is the fragment of a translation, from which the words in square brackets are supplied.

Tyldesley is near Leigh (still pronounced Leith) co. Lancaster.

cxcvii. [1345]

Robert de Stokport, son of Nicholas de Eton knight, to John son of John de Dauenport knight, his heirs and assigns. Grant of the reversions of the lands, tenements and rents of neifs with their suits and all that goes with them and of free tenants in Lopinthorp and Swafeld co. Lincoln, which master William de Eton 'my uncle' holds for life of the demise of Nicholas de Eton 'my grandfather', to hold of the chief lord, with warrant. Witnesses: Richard de Swafeld, John Hyngham, Munde de Corby, Roger Bryan, Thomas the chaplain. Dated Lopinthorp, wednesday before St. Gregory P. 19 Edward III. (1345). (No seal.)

Sir Nicholas de Eton the younger married the heiress of Stockport (Ormerod, iii. 795).

cxcviii. [1496]

Jasper Kynaston (son of Peter Kynaston) to Ralph Brereton (brother of Randle Brereton of Malpas esquire) and Richard Lye of Lye. Grant of all his lands etc. in the towns and fields of Orton Foren and Penley within the lordship of Maillors co. Flint, and of Hampton is wode co. Salop, with warrant. Witnesses: Richard Hanmer esquire, Edward Hanmer of Halton, Gruffith Hanmer of Fennes, John Hanmer of Bettisfeld, Randle ap Edo. Dated Orton Foren, 7 december 12 Henry VII. (1496). Seal gone.

* * * * *

cxcix. [1366]

William cardinal priest of St. Laurence in *Lucina* to Adam dil Smalwod his wife and children. Licence to choose a confessor. Dated 6 *id. sept.* 4 Urban V. Seal gone.

For cardinal Guillelmus or Willelmus Bragose see Ciaconius, *Hierarchia Catholica* (Rome, 1667), ii. 543. Smallwood is in Cheshire, near Moreton, Alsager and Lawton.

cc. 1474

The chamberlain warden and procurator of the hospital of holy trinity and St. Thomas the martyr in the city of Rome to Thomas Waltton Alice his wife and their children. Indulgence (by authority of pope Sixtus IV., declared 5 *kal. julii* 1474). Dated London, 10 december 1474. Endorsed with absolution. Seal gone.

cci. 1487

Brother George Sutton knight and master of Burton St. Lazarus of Jerusalem in England. General declaration of indulgence to benefactors, dated Burton, 5 february 1486. Absolution endorsed. Fragments of a seal.

NOTES ON THE MONTAGU MONUMENT IN SALISBURY CATHEDRAL

THE years have dealt it cruel blows and the restorer has played with it at his fantastic will, but in spite of neglect and hard treatment the tomb of Sir John Montagu is still one of the most interesting and important of the monuments in Salisbury Cathedral.

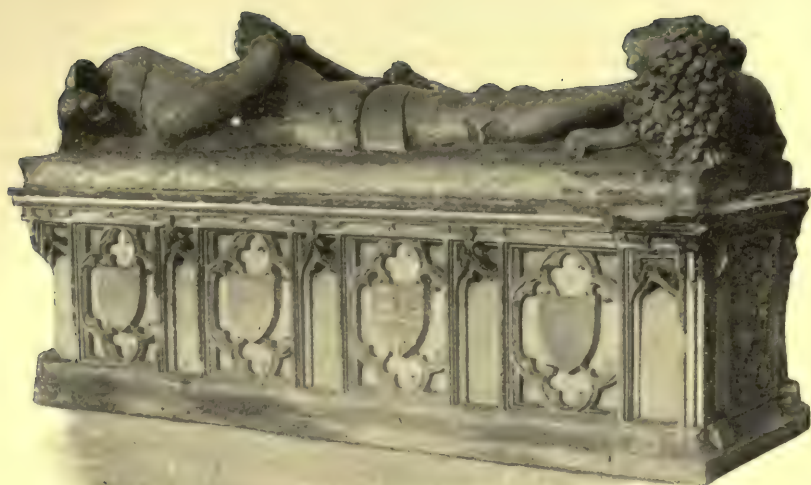
Once ablaze with gold and colour this stately memorial stood for close on four centuries in the Lady Chapel, but during the disastrous period when the cathedral was handed over to the tender mercies of Wyatt it was moved to its present position in the nave, on the stone bench under the second arch east of the north door of the church.

It consists of the effigy of a harnessed knight on a tomb of decorated work, the surface of which is divided into six panels enclosing shields and separated from one another by canopied niches which have long lost any figures they may once have contained. The present back or north side of the tomb does not belong to it.

It stood formerly close against a north wall, as appears from the fact that the left side of the effigy is less carefully wrought than the rest of the memorial. The original back of the tomb being either of uncarved stone, or more probably the wall of the chapel itself, it commended itself to the judgment of the wisecracks of that day that a new one should be provided when the tomb is so placed as to be visible from all points.

The ingenious Mr. Wyatt triumphantly accomplished this architectural feat by causing three of the sculptured Purbeck marble panels of the Beauchamp chapel, recently demolished by his orders, to be hacked into the size and shape required to fit the space.

The impious removal of this tomb was only one of the many outrages that Wyatt perpetrated at Salisbury. But the absurd and clumsy piece of patchwork which was the outcome of it has at least this value, that it proves the armorial ornament of the monument to have been confined to the effigy and the two ends and south side of the base on which it rests.



TWO VIEWS OF THE MONTAGU TOMB IN SALISBURY CATHEDRAL.



Sir John Montagu, whose resting-place was thus honoured by his own generation and violated with the connivance of the modern guardians of his remains, was the second son of William, first Earl of Salisbury of the 1337 creation, and Katherine Graunson. While still a youth under age he served in the retinue of his brother Earl William throughout the Norman expedition of 1346, and was present at Crécy and at the siege of Calais. Knighted before Whitsuntide, 1347, he returned to England with the king in the autumn of that year, and in two years more took to wife Margaret Monthermer. He was summoned to parliament, not in her barony, but by his own name, and sat as a peer till his death in February, 1390.

His effigy represents him in complete armour. His head covered by a bascinet rests on a great crowned helm surmounted by the griffon's head and wings, which form the crest of his house. On crown and crest a very little dark blue colouring remains, but this is no doubt only the ground for the original red and silver of these ornaments. The mantle is quite short, reaching only to the lower edge of the helm, not disposed in folds, but lying smoothly with edges slightly jagged, and it appears to have been painted red. Of his sword, which hung from a richly jewelled belt, only the hilt remains with the end of the sword-belt wrapped about it.

The knight's figure was as completely painted and gilt as the rest of the monument and what little of this decoration survives shows plainly that the surcoat was golden and charged with the green eagle of Monthermer.

The chief interest however of the monument for the student of mediæval armory lies in the series of armorial shields on the tomb itself, which with one exception are all carved in low relief and painted, and afford important examples of late fourteenth century methods of marking cadency.

That at the head or western end of the tomb displays a quartered coat, the arms of the lordship of Man quarterly with the well known Montagu armorials, silver a fess gules indented of three fusils, and not as is more usual the Montagu fusils quartering the legs of Man. This is of course the escutcheon of the head of the house, William the second earl, elder brother of Sir John Montagu.

The westernmost shield on the south side is charged with Sir John's own arms—Montagu with a border sable impaling Monthermer.

The next is unfinished. This also is an impaled shield bearing the Montagu fess of three fusils within a plain black border on the dexter side, but with the woman's half of it untouched. It may have been designed to refer to another John Montagu, Sir John's son and heir, with space left for the insertion of the arms of his wife, the thrice married Maud Francis. If this supposition is correct it would indicate that at Sir John's death his son assumed the plain border as head of the junior branch of the family.

It will be noticed that in both these examples of impaled shields the whole of the narrow border is shown—plain proof that the practice of omitting that part of the border which touches the line of impalement did not invariably obtain in Sir John's days.

It is certain that during his father's lifetime the younger John employed a different border as his own mark of cadency. The next shield carved with Montagu in a border sable engrailed quartering Monthermer clearly belongs to him.

The bearer of this interesting quartered coat succeeded to his father's barony in 1390, becoming Lord Monthermer when his mother died a few years afterwards, and third Earl of Salisbury at his uncle William's death in 1397.

The fourth shield on the south side is also unfinished. It is in fact absolutely untouched except for a fine line carefully engraved from chief to foot as if preparation had been made for the carving of a third impaled shield of arms.

At the eastern end of the monument appear the arms of Montagu differenced with the plain black border, and this doubtless is a second allusion to Sir John.

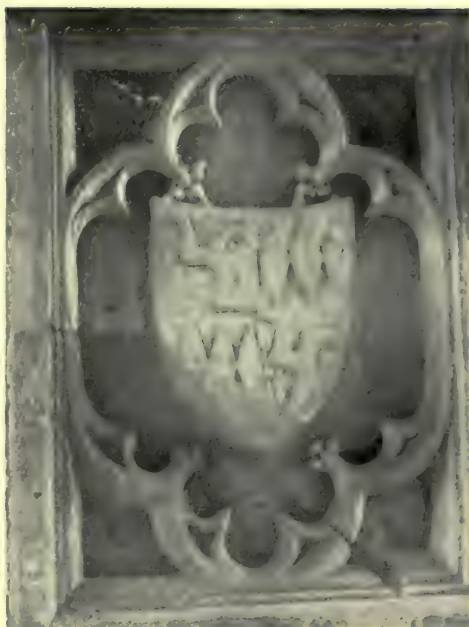
It is a little surprising that no Graunson coat appears anywhere on this noble tomb. Perhaps it may have been intended to commemorate the parents of the dead knight by means of the last escutcheon on the south side, but this was never actually done.

E. E. DORLING.

MONTAGU.



MAN AND MONTAGU.



MONTAGU.



MONTAGU AND MONTHERMER.

SHIELDS FROM THE PANELS OF THE MONTAGU TOMB.



THE FOUR WEDDERBURNS OF DUNDEE¹

IN the last volume of *The Ancestor* we gave an account of Mr. Alexander Wedderburn's enquiry into the early history of his name. In the making of his two volumes Mr. Wedderburn has left little to do for any Wedderburn genealogist who shall come after him, so carefully, so thoroughly and so accurately have the Scottish records been sifted by him for Wedderburn evidences.

Yet the Wedderburn book from its note of the first appearance of the name in the Ragman Roll of 1296 to its account of the rise of the Wedderburns of Dundee at the end of the fifteenth century can but confirm the more fortunate southern genealogist in the belief that his northern brother unless descended of the main line of a great historic house must begin his tale with a web spun from unsupported tradition or with few and scattered notes of records which no honest ingenuity can link into a connected story.

The history of the Wedderburns begins upon a sure foundation with the four Wedderburn householders in Dundee—James, Walter, David and Robert. Their kinship is unknown but undoubted. David is named as early as 1464, and must have been born about 1440. The other three must have been born near the middle of the century, so that by reckoning of years they might all have been one man's sons, and their children are spoken of as kinsmen. As each of the four was a man of substance and standing in Dundee, we may infer that their common ancestor, father or grandfather, was also settled in the burgh, so that the family was no new one in the neighbourhood.

Each of these four householders founded a family of Wedderburns. The thread of the families descended from James and Walter is lost, David's line ended before 1600, whilst from Robert came the Wedderburns of Kingennie,

¹ *The Wedderburn Book: a History of the Wedderburns in the Counties of Berwick and Forfar, 1296-1896*, by Alexander Wedderburn; 2 vols. (Printed for private circulation.)

Easter Powrie, Wedderburn, Blackness, Balindean and Gosford, the Wedderburn baronets and a Wedderburn peer.

It is by reason of their ancestral calling, that of clerks and notaries, that so much of the Wedderburn history is made clear to us. They were town clerks of Dundee from 1557 to 1717 and notaries up to the time of Robert Wedderburn of Pearsie, who died in 1786. Such an industry should make for the ordered life and moderate prosperity of a family which makes little history on its way. But the history of Scotland is full of stirring and striving; the Wedderburns have their part in it, and their lives as recorded by their descendant are full of interest for all who love bygone days.

James Wedderburn of Dundee, the first of the four Wedderburns of the burgh, was a merchant in West Kirk Style and father of five sons and a daughter. With these children comes the first quickening of the dry bones of their pedigree. Of the younger sons Henry is born, weds and dies, and that is for all history of him; but Gilbert is a burghess of fiercer mettle, one more after the mind of Sir Walter. His spiritual difficulties lead in 1538 to his conviction for heresy and the temporary escheating of his goods; but it would seem that his anxieties for the faith do not keep him apart from the vigorous town life of Dundee, for the next time his goods are escheated it is for killing his fellow-burghess David Rollok. That a certain ill-feeling or unneighbourliness existed between him and the Rollok family may be gathered from the fact that, the year following the killing of David, Master Wedderburn needed remission and pardon for his share in the slaughter of George Rollok of Dundee. His later years were spent in Leith undisturbed by the vengeance of surviving Rolloks, and under a safe conduct from the Earl of Arran he once came with merchandise up the Thames to London.

The three elder brothers of Gilbert enjoyed a fame beyond the limits of Dundee or Leith. James the eldest had 'a good gift of poesie.' He made comedies and tragedies in the broad Scots tongue, plays which 'nipped the abuses and superstition of the time.' In a tragedy of the beheading of St. John Baptist, played at the West Port of Dundee, he 'carped roughley the abusses and corruptions of the Papists,' and in the *Historie of Dyonisius the Tyranne* the Papists were nipped again. After so much literature with a purpose



ALEXANDER WEDDERBURN OF KINGENNIE.
1561-1626.



it is some wonder that the dramatist died in his bed, but that bed was made at Dieppe in France, to which kingdom he had judged it wise to 'depart secreetlie.' The second brother, John Wedderburn, a priest and a reformer, had an even greater share of the 'good gift of poesie.' Either he or his brother Robert was the Dundee priest who drew a good bow before the Lord William Howard, the English ambassador, when three Scottish landed men and three yeomen shot against six Englishmen, winning a hundred crowns and a tun of wine and making their native prince very merry for their victory. Yet this John Wedderburn's fame rests not on shooting with the bow but on his share in the book of *Gude and Godlie Ballates*. The drum of the Salvation Army banged to the carnal melodies of the music-hall was anticipated by the brothers James, John and Robert Wedderburn, who 'turned manie bawdie songs and rymes in godlie rymes.' The title page of the 1578 edition is worth our quoting.

'Ane compendious buik of godlie Psalmes and spirituall Sangis collectit furthe of sindrie partis of the Scripture, with diueris othereis Ballattis changeit out of prophane Sangis in godlie Sangis for auoyding of sin and barlatrie.'

Of the hundred and twelve songs or psalms the merit is unequal. A Christmas hymn to the tune of 'Balulalow' is good and free.

O my deir hart, young Jesus sweit,
Prepair thy creddill in my sperit,
And I sall rocke the in my hart,
And neuer mair fra the depart.

But the sinful song of *Johne, cum kis me* halts dismally in its gude and godly paraphrase, as

The Lord thy God I am,
That Johne dois the call,
Johne representit man,
Be grace celestiall.

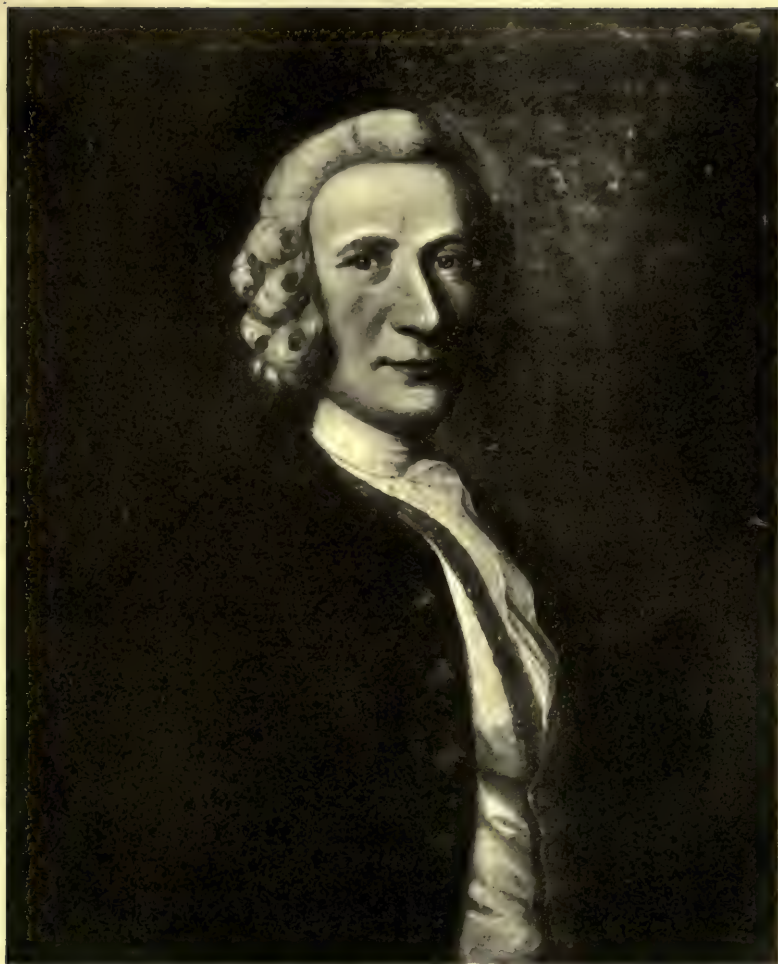
It may be that controversy and the nipping of Papists were nigher to a Wedderburn's hand than mere expository theology, for the air of 'The Hunt is up' goes gallantly and heartily to a godly song of the hunting of 'ane cursit fox.'

The hunter is Christ, that huntis in haist,
The houndis are Peter and Paul,
The Paip is the foxe, Rome is the rox,
That nubbis us on the gall.

There was a spirit abroad in Scotland which made it impossible to punish such bold heretics too harshly, but John Wedderburn could hardly come free away from such work as this. He was exiled to England and no more is known of him.

Robert Wedderburn, the last of these three strange harps of the north, was vicar of Dundee. He is reckoned, and upon good ground, author of the *Complaynt of Scotland*, one of the early classics of his country. A merry priest who had seen Paris and the world, he seems in odd company with those earnest reformers James and John Wedderburn. It is impossible to refuse him credit for the song of 'Welcum for-toun! welcum agane!' a passable love song of a priest to his mistress. That mistress was Isobel Lovell, who bore to the parson of Dundee two sons for whom letters of legitimation were obtained within a year of their father's death. The legitimated family flourishes for three generations as merchant burgesses, but ends in 1639, leaving a son Francis for whom no letters of legitimation can be had. He may have been the Commander Francis Weatherbourne whose man of war, *Charity*, was captured at Campeachy in the days of Charles II.

Fourth in descent from James of the *Gude and Godlie Ballatis* we find two interesting brothers named John and James, after a persistent Wedderburn custom very confusing to their historian. John, born about 1583, wandered abroad very early, and in 1609 his countryman, William Lithgow, the Lithgow whom the Inquisition caught and tortured, found him in Padua, a learned mathematician and one kind to another Scottish wanderer. Now and again he came back to Dundee, to which town he gave the 'Sang Scooll' in 1637. In 1628 he was in Moravia, where he is styled *protomedicus*; and the doctor's sons were Moravians after him, one of them being returned as 'oy and air' to his grandfather, old John Wedderburn of the Flukergait in far away Dundee. To Dundee the doctor's descendants never come back, and as high and well born Wetterborns they are said to have existed in Moravia as late as 1816. James, the younger brother of the Moravian doctor, left Dundee also, and in England was tutor to the children of the famous Isaac Casaubon. His fortunes carried him backward and forward. He was minister at Harstone in Ely diocese, and professor at St. Andrews College, rector of Compton in Winchester diocese and Canon



ROBERT WEDDERBURN OF PEARSIE.
1708-1786.

of Ely. The Ely canonry he surrendered on receiving an uneasier honour, for in 1636 he was consecrated Bishop of Dunblane by the favour of Archbishop Laud. As may be imagined there was no rest in Scotland of 1636 for those who brought the Babylonish garment of prelacy within her borders. By December of 1638 he was declared excommunicate by the General Assembly at Glasgow for his share in introducing 'the new liturgy and popish ceremonies.' The fury of the pamphleteers broke over his head, and the Arminian errors which he had 'stuffed' to the young students of St. Andrews were fiercely preached down. Wedderburn bent to the storm and turned south again to find a quiet grave in Canterbury Cathedral in 1639.

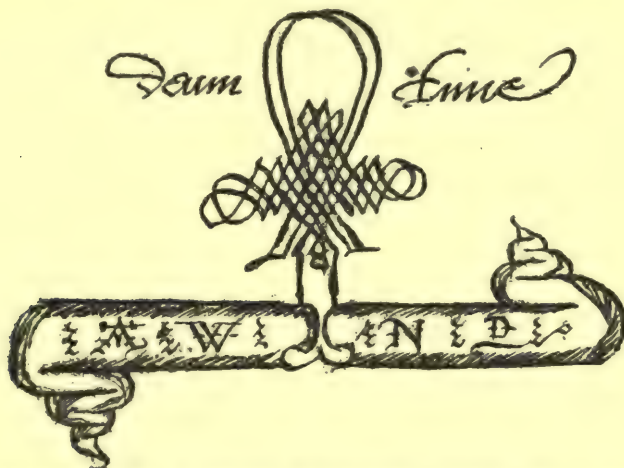
Of the four Wedderburn patriarchs in Dundee we come to Walter Wedderburn styled 'in the Welgait.' His line begins with burgesses of Dundee and ends, so far as the quest of the genealogist may follow it, with ministers of the kirk, one a covenanter, whose opinions take him before my Lords of the Privy Council. He escapes with a month in the Tolbooth, being as it seems a lukewarm 'testifier.' Another minister, Alexander Wedderburn of Forgan, was a 'very eminent, great and learned man,' or, according to another authority, 'a crazy Presbyterian fanatic.' Neither qualification has carried his fame to posterity, and were it not for the labours of Mr. Alexander Wedderburn he would be little more than a name in a pedigree, and misplaced at that. When the Highland Host went jinking through Kilmarnock in 1678, being then minister in the town, he stood forward to rebuke 'the heinousness and barbarity of their ravages.' Such a rebuke, doubtless in the best manner of old Mause Headrigg ('bastards o' the hure o' Babylon were the best words in her wame'), brought a Highland musket butt against his breast, and from that blow he sickened and died. Mr. Alexander Wedderburn's precise statement of this martyr's ancestry and career are in amusing contrast with the dashing style of his grandfather's little history of the Wedderburns, written in 1824. In this work it is said of Alexander of Forgan that 'his birth is uncertain and was very probably illegitimate.' But 'J. W.' of this earlier Wedderburn book will not however bring himself to lop the minister of Forgan from the family tree, comforting himself with the douce saying, 'It is puir clan that has neither whores nor rogues among it.'

The third of the four householders in Dundee was David Wedderburn in the Murrygait, a town councillor of Dundee. He left two sons, one whom carried on his line. This son, David Wedderburn the second, is party to a bargain in 1527 recorded in the *Dundee Protocol Books*. Alexander Blak sells him for the sum of twenty pounds his *maritagium* or right to marry, and agrees to take any wife David may find for him. David's choice is left untrammelled, for Alexander avers that he will take the bride to his arms even if she be ugly or halting. He will take her even if ailing and diseased, if he may be allowed to bar two diseases only. Mr. Alexander Wedderburn is of opinion that this was only David's elaborate method of extinguishing the gallant Blak's rivalry in a certain quarter, and points to the fact that David is soon after found to be married to one Christine Jameson, but the guess seems to have little to recommend it. Surely Mr. Wedderburn is aware that a *maritagium* was in 1527 as saleable an article as a quarter of oats. This David the younger is a substantial citizen as is shown by the offices he holds in the burgh, and by the fact that in his house the council hide the church plate and jewels during war time. The cares of office however did not keep him from entering heartily into the Wedderburn feud with the family of Rollok, and in 1543 he was one of those who were fugitive from law for the killing of David Rollok.

John Wedderburn of Craigie, great grandson of old David of the Murraygait, was bred to the law, whose grave service he left for more stirring employment under David, Earl of Crawford. His career is pleasantly variegated with woundings and murders, and here it may be noted that we have many Wedderburns who slay their man in chance medley or lurking ambush, but never a Wedderburn neck which stretches a rope therefor. It would seem that the hempen cord which was so ready to jerk the meddler in politics off his legs spared the mere slayer in a burgh brabble or family quarrel. The merchant burgher who has dirked his neighbour in the street is put to the horn and outlawed, but is soon at home again in his counting-house never a penny the worse.

This John Wedderburn comes into our English State Papers 'disguised in mariner's apparel and that of the meaner sort,' in which costume Lord Eure arrests him in 1597 and sends word thereof to Burghley. Lord Eure's description of his capture certainly justifies the arrest, and provides us with

a pleasing picture of an ancestral Wedderburn. Master John speaks French reasonably well, has been in the King of France's service, and has been honourably employed by the Lord Bothwell in compassing the death of Sir Robert Kerr by blowing up his castle at Halleden. His carriage is wise, and his birth and manner of disguising yield apparent suspicion of more devilish practices than he revealeth—in a word, a First Murderer. He is 'of reasonable stature, verie square bodyed, bigg legged, one or two scarres on the hight of his foreheade, faire complexioned, yellowe berded, the haire of his heade like to white amber.' He is cunning in State matters, and is an engineer 'proferring to make petares



NOTARIAL SYMBOL OF ALEXANDER WEDDERBURN, TOWN CLERK OF DUNDEE,
14 OCT. 1575.

and garnettes, ingynes of war.' With his own petard the engineer is presumably hoist, for his wife is soon afterwards a widow, and the male line of the third house of the Dundee Wedderburn ends handsomely.

The last of our four Dundee householders is Robert Wedderburn, who was probably born about 1460. Like the three other ancestral figures his contemporaries he is a man of substance and credit, being a 'bailie of Dundee.' He married with Janet Froster, who survived him, by whom he had five sons and a daughter. From the second son of this marriage descend the Wedderburns of Kingennie, Easter Powrie, and that ilk, Blackness, Balindean and Gosford, in

fact all the greater landed families of the name, and from this second son Robert descends also Mr. Alexander Wedderburn, historiographer to all the Wedderburns that have been.

This Robert, son of Robert, is a notary in Dundee. His eldest son Alexander is town clerk of Dundee, the second son Peter is a merchant who sails to Norway and buys bowstrings there, and the third son Robert follows his father's calling. Therefore after this generation the family business is with the clerkly quill, and we have pages covered with facsimiles of the curious symbols and flourishes in which the old world notaries



NOTARIAL SYMBOL OF ROBERT WEDDERBURN OF DUNDEE, 1582.

delighted, symbols of which we reproduce two for examples, noting at the same time that, curious as they may be, they cannot compare with the yet more intricately beautiful flourishes of notaries of the south.

Alexander the first of the town clerks is allowed by the town to hand on his office to another Alexander, his son and heir. His arms with the arms of Helen Ramsay his wife are carved upon a stone of which we are allowed to reproduce an engraving. Of his prosperity we have a material sign in his purchases of the lands of Wester Gourdie and Kingennie, the

latter estate being bought from a Guthrie in 1600, from which date Alexander bears the territorial style of 'Kingennie.' Both estates are still, after three hundred years, in the hands of the descendants of Alexander.

The last male Wedderburn of Kingennie, seventh of that style, fifth of Powrie and third of Wedderburn, is David Wedderburn, whose father had obtained the creation in 1708 of the lands of Easter Powrie into a free barony, to be called the barony of Wedderburn, to the enhancement of the pride of his house and to the confusion of genealogists who may be persuaded thereby that the Wedderburns came again at the last into possession of their original *stammbaus*. The last



CARVED STONE FROM A FIREPLACE IN THE OLD TOWN HOUSE OF THE WEDDERBURNS IN THE NETHERGAIT OF DUNDEE, WITH THE ARMS OF ALEXANDER WEDDERBURN AND HELEN RAMSAY HIS WIFE, 1590-1600.

Wedderburn of Kingennie is a sickly child whose 'health may not readily allow him to goe class to a publick schoole,' but grows up a hard-drinking, fox-hunting laird, the very man to end a long pedigree. A family manuscript tells of a characteristic Scots Saturday night's revel in which Kingennie and his friends plan to drink with the minister of Strathmartine to keep him from the morrow's pulpit. But Kingennie's head is weaker than the Reverend Mr. Maxwell's, who drinks the party out and lays them upon feather beds round the dining table before he goes back to his manse and

his sermon making. He dies in 1761 and Kingennie goes at last to the Scrymgeours, whose heir succeeding must bear the shield of Wedderburn of that ilk and use the name of Wedderburn only.

The average Englishman peers at the history of Scotland through one window only—the novels of Sir Walter Scott. In the history of a Scottish family he will ask what the ancestors were doing in the time of Queen Mary, and whether any of them rode with, or were ridden down by, the Lord Viscount Dundee. But most of all he will ask for their doings in the '15 and the '45, and Whig or Radical as he may be at home in the south he will be impatient of any cowardly reluctance on the part of eighteenth century Scotsmen to follow the young Adventurer.

Out of such inquiry the Wedderburns come well. A race of town clerks and notaries they were yet men of their hands, as the Rollocks and other unsympathetic families often found to their cost on the plainstones of Dundee. That these Wedderburns were 'well affected' is shown by the record of Sir John Wedderburn the physician to King Charles the First and the Second, being knighted for his share in the plotting for the Blessed Restoration. Not only is he knighted, but a pension of £2,000 yearly is assigned to him, and with a fortune rare amongst the old royalist friends of the merry Charles he secures the payment of that pension wherewith Sir Alexander his nephew is aided to buy Blackness, and another nephew, Sir Peter, to buy Gosford in East Lothian. This Peter is a lord of Session by the title of Lord Gosford. From his elder surviving son came the Wedderburn baronets of Gosford, who took the name of Halkett on marriage with an heir of that name, and from the younger Wedderburn peer, Alexander, Lord Chancellor, and first and last Earl of Rosslyn of the Wedderburn name.

More than one Wedderburn meddled with the rising of 1715, but their Jacobite adventures in 1745 are writ large. Sir John Wedderburn, fifth baron of Blackness, was out in the '45 and in arms at Gladsmuir. With a white cockade in his hat, and a sword at his side, he collected excise for the prince in Perth by beat of drum from November of that year to the next February, when he joined the lost army as it fell back from Derby. After Culloden we find him a prisoner and a doomed man from his taking. He was, as he said,



TOMBSTONE IN THE HOWF OF DUNDRE OF JAMES ANDERSON
(1511-84) AND HIS WIFE GRISSELL WEDDERBURN (1518-72).



'among the elect and not to be parted with,' and he put aside the suggestion of a petticoated prison-breaking, after the manner of the Lord Nithsdale, with the remark that he might as well die then as twenty years hence, and that he would not risk disturbance and ill usage on the night before his death. He went to the scaffold with the wonted dignity of the Briton taken in rebellion, that dignity which, as ambassadors' letters have told us, was the envy of the peoples of the continent. The gallows on Kennington Common was the place of his death, and where that gallows was is now the altar of Kennington Church. His letters before his death are the calm writings of one at ease in his mind, and he could find the heart at the moment when he learned that twenty-four hours measured his span of life remaining to write one letter to his son John, remonstrating with him for parting too early with his money, and another to a friend regretting that his son John had 'not the true value for a shilling which is a very bad sign of thriving in one of his age.' John had served with his father and carried a pair of colours in Lord Ogilvy's regiment, and his doomed father feared that this 'last half year's employment' would unsettle his mind for business matters. Evidently more than a little of the clerks of Dundee clung to their descendant the Culloden rebel. It is good to learn that master John, who fled abroad, grew to be a rich man in Jamaica, despite his careful father's auguries. His grandson is now Sir William Wedderburn of Balindean, whose elder brother, with his young wife and child, were amongst the first victims of the mutiny of 1857.

The baronet of Blackness found many kinsfolk risking their necks on the desperate emprise. His two brothers were amongst them. The elder, Robert Wedderburn, who was 'of Pearsie' in right of his wife Isobel Edward of Pearsie, raised recruits for the Glen Proason company, whose colours were carried by young John who had not the 'true value for a shilling.' The Lord Ogilvy, colonel of the regiment, was mounted by him after Culloden and helped out of the kingdom. Pearsie himself took to the hills, from which he descended with a protection from the Lord Justice Clerk, and boldly attended a county meeting at Forfar. Through all these troubles he clung to his office of Sheriff Clerk of Angus, and died in his own bed at Pearsie in 1786, his portrait showing him for a fine old Scots gentleman to crack with

whom would have been meat and drink to Sir Walter. Thomas Wedderburn was the third of these craigs in peril. He was at Culloden with Sir John his brother, but came safely away, and to our astonishment as we read, went on with his daily work as collector of excise. His son followed his first cousin to Jamaica, and like him came by a fortune there. Fourth in descent from this Jamaica planter is Mr. Alexander Wedderburn, the historian of the family.

We have already spoken of the infinite labour which Mr. Wedderburn has bestowed on this history. For this labour a survey of his two volumes should repay him. He has put on record for his family a multitude of accurately transcribed and judiciously edited muniments of the most varied kinds, and to the English speaking public he has given a book which will always remain a storehouse of curious knowledge of Scottish life for the last five centuries. The family letters alone go far to this end. Let us close our appreciation with a transcript of one which comes nearer to literature than to history—Thomas Wedderburn's letter written to his wife Katherine Dunbar as he lay in his Inverness quarters before Culloden.

MY DEAR,—

I am just now come to my Quarters, its about Eleven at night. There is nothing in my mind, but God and you. I cannot go to Bed until I tell you, that I never think myself entire but when I am with you. I would be very happy if I could now Lye Down in your Arms. I shall Lye down with regret: With no more Comfort, than my Conscience can afford. I Bless God for the peace of mind I have. And for the gracious assistance he has given me by you. Our engagements are such, that we must be Happy, or not, in Excess; I do think that Indifferency, if ever we allow it to Enter our Minds, would soon turn to Hate. You do give me, and can continue to me, all the pleasure that a Wife I Love can give; you afford me all the Happiness that a Virtuous Companion can produce in a mind already full of you. It is in your power, to make me more miserable than I can tell you. It is beyond Expression, it is more than possible you can Imagine. I am satisfied of the Truth and Strength of our Affection, and hope it shall end only with Life itself. In the strictest Truth of my Heart, I assure you, I am wholly yours.

Now I am just going to Bed. I know not if ever I shall Sleep; or if I do Sleep, I know not if I shall ever Awake, it may be the Sleep of Death. I thank God for his past Mercies. I beg a Continuance of them. I cannot Breath, once, without them. This is a serious Subject, but it is what one will reflect upon, if we Die as we would wish, not a sudden Death. From which Good Lord deliver us.

God Bless you and our Dear Boy. I am

Your affectionate and faithfull Husband

THO^s WEDDERBURN.

More than a century and a half since Thomas Wedderburn sat down to write this letter in his Inverness quarters, but nevertheless one feels an indiscreet peeper as one reads it. In a line here and there, in the phrase of the 'Virtuous Companion,' there is a flavour of the eighteenth century, the eighteenth century of hairpowder and of Samuel Richardson, but the rest is a true lover's letter, purely and simply pathetic. If a Wedderburn had to suffer on Kennington Common, one is glad that brave Sir John, the last steadfast thoughts of whose blunt mind were bent upon rebuking his boy's lavishness with his pocket money, was the Wedderburn chosen, and that Thomas Wedderburn gat him safe home again after Cullo-den to the arms of Katharine Dunbar.



PEWTER BOX DATED 1600 WHICH BELONGED TO CATHERINE WEDDERBURN WITH THE ARMS OF WEDDERBURN AND DUNCAN. SHE WAS WIFE OF WILLIAM DUNCAN, SURGEON, OF DUNDEE.

THE VALUE OF WELSH PEDIGREES

II

BEFORE further developing my views on this subject it seems advisable to make some answer to the criticisms which have been made on my previous article by Mr. Edward Owen in the April number of *Archæologia Cambrensis* and by Mr. Round in the last volume of *The Ancestor*, though by so doing I shall have to anticipate the future course of my argument.

Mr. Owen appears to suggest that a critical knowledge of Welsh is a necessary qualification for a student of Welsh pedigrees. So far as I am aware, with the exception of the chronicles and similar works (some of which have been translated), there are no 'records,' properly so called, written in Welsh. It is easy to learn enough of the language to understand the pedigrees themselves, and I trust that no one who is sufficiently interested in the subject to test them by evidence of record, by which means alone it is possible to arrive at a true conclusion as to their value, will be discouraged from so doing by Mr. Owen's remarks.

The principal points I desired to prove were : Firstly, that the provisions of the Welsh laws practically necessitated that pedigrees should be officially kept ; and, secondly, that there were certain persons whose duty it was to keep those pedigrees. The anomalous laws which I quoted in favour of the second point are no doubt forgeries, in so far as they are not the work of Dyfnal Moelmud ; taking them at their worst they are a collection of legal maxims made at the beginning of the seventeenth century, and therefore they seem to be a sufficiently good authority as to the state of matters in the middle of the sixteenth century when the Welsh laws and customs were with certain exceptions abolished. It therefore appears that a system of pedigree keeping by 'the Bards' was at that period in full working order, and such system being rendered necessary by the laws of Howell dha, and the Bardic order being independent of such laws, it seems a reasonable conclusion that pedigrees had been systematically

kept during the continuance of the laws. There is however other evidence that can be adduced on this point if necessary.

Let me assure Mr. Round that I had no intention of 'rebuking' him for seeking contemporary evidence; the more Welsh pedigrees are tested the better, whether they be proved or disproved. As an important critical principle is involved it is well to be quite clear. Mr. Round says: ' . . . We come to Gerald de Windsor. . . . Gerald "Cambrensis" styles him on one occasion "Geraldus de Windesora." This appears to be the only ground for making him a son of Walter Fitz Other.'

This Mr. Round proceeds to do, but surely not *only* on the ground last mentioned. I am unwilling to believe that such a casual allusion would by itself have satisfied so exacting a critic, had he not, perhaps unconsciously, been influenced by the received pedigrees. As confirmatory evidence of them, the allusion has possibly a certain weight. We have however two independent pedigrees in the Harleian Roll and *The Golden Grove* from two independent sources; adding to this the evidence of Giraldus' allusion it seems permissible to hold that the three separate links form a sufficiently strong chain to stand the requisite test.

Mr. Round styles Dr. Gwenogvryn Evans a 'Welsh expert,' and seems to place great reliance on his opinion on the value of Welsh pedigrees, which opinion appears in the introduction to his admirable report on the Peniarth MSS., and does not seem to have been founded on any evidence but that afforded by the pedigrees themselves. Mr. Owen on the other hand has stated that 'an enquiry' (into the historical accuracy of Welsh pedigrees in general) 'is urgently needed in view of the uncritical remarks of the Historical Manuscripts Commissioner in the preface to his report upon the Peniarth MSS.' Let Dr. Evans speak for himself. 'When a pedigree reaches back beyond the third generation of the time in which it was originally drawn up, unless supported by independent documentary evidence, the work of even the most honest man cannot be trusted. Take for instance the vellum roll (some seven yards long) of pedigrees at Mostyn Hall in the hand of Guttyn, a man thoroughly trustworthy as to matters of his own time, and yet in that roll certain pedigrees are traced back to Adam son of God without any conscious sense of the incongruous.' The first part of

¹ *Ancestor*, ii. 94, 95.

this certainly needs modification, for before surnames became fixed in Wales a Welshman as a rule carried in his name at least three generations, so that on the ordinary assumption that a man knows his grandfather, an individual's statement may be relied on for at least five generations.

Dr. Evans further appears to assume that a pedigree must be accepted as a whole or not at all, and that the extravagances which are introduced into pedigrees of the class of which he gives an example render the rest utterly untrustworthy. With this I cannot agree. Taking a point rather lower down, 'Brutus ap Silvius as Geoffrey of Monmouth, first monarch of Britain,' who frequently heads these family pedigrees, it will be found that there are very few lines brought down from him, and that his legendary descendants (say about the fifth century A.D.) are by no means numerous—the inference being that the traditional chieftains of that period had ancestors tacked on to them for the purpose of making them of equal genealogical importance. In these legendary pedigrees the curious will find many scraps of strange lore which may prove of interest to mythologists. But if I am right in concluding that the laws of Howell dha necessitated the keeping of pedigrees it follows that a line may be drawn about the middle of the tenth century above which tradition and legend must be allowed free play, while below it another state of things may be expected. I have pointed out that there is now in existence a contemporary collection of pedigrees of the tenth century, others of the fourteenth, several of the fifteenth and sixteenth, and any number of later ones, so that it appears a fair conclusion that the process of compilation has been going on continuously from very early times, and that each fresh writer has added to the material he found to hand matters within his own knowledge. That there are forgeries is probable, that there are mistakes in compilation is only to be expected, and that there are conflicting authorities on some points is certain.

The allowances I say must be made for these pedigrees are no doubt serious—the omissions of generations and affiliations to step-parents and parents-in-law in particular.¹ These may be to some extent discounted by a collation of the various collections of pedigrees. I cannot agree with Mr. Round that the removal of dates and facts does away with what is 'virtu-

¹ My second 'axiom' should have read, 'An individual is occasionally affiliated to . . . one of his wife's parents *and* one of his own.

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ally the sole test that we can apply to the value of these pedigrees.' I believe that in their original state they consisted merely of a string of names, and that the dates and facts were later additions ; in many cases they are correct, but it seems better to make a clean sweep and put in the true details afresh. Mr. Round is unlucky in the illustration he adduces in support of his views, for, doubtless most unfortunately for himself, Cynfyn, Lord of Powys and Earl of Chester,¹ instead of living somewhere about the beginning of the twelfth century, as Mr. Round says he must have done, died before 1070 (the date at which the first real Earl of Chester known to G.E.C. became so), unless he managed to survive marriage with a widow fifty years.

Here I must now stop ; on another occasion I hope to show how a Welsh pedigree may be tested : firstly by comparing the different collections, and secondly by the application of record evidence, for so far am I from undervaluing records, that I fully recognize that by this latter test must Welsh pedigrees ultimately stand or fall.

H. J. T. WOOD.

¹ This is of course merely a translation of 'Arglwydd Powys a Iarll Cærleon.'

TWO ANCIENT PETITIONS FROM THE PUBLIC RECORD OFFICE

I

ANOSTRE seynur le Rey, vous monstre . . . s vostre surizian, cum il feust lautre jour a son peyse vostre conge, vindrent genz de pays a ly, e se pleindrerent de . . . liour de dyme dener, scet a dire monsire Roger de Swynerton, ke il aveit pris autrement ke il ne deveit fere, ceo est a dire en chesconne vile marchaunde, C. souz, ou plus, e sur chescune autre vile petyte, solum ceo ke la vyle feust riche. E, outre ceo, il aveit fest crier grosse monee, e peisa lour monee encontre cele grosse monee, ke touz jors aveit il de deinz vint souz deus souz, ke bien amoute a cente liveres, e saunz ceo il est coronner de payse. E pris ke il ad este en le office ad il pris C. mars ou plus, a ceo ke gentz du payse dient.

Sire, fetes enquire vostre dreit par leaus justices, e vous troveret ke ceo est en la manere cum ieo vous ai fet entendaunt, cel meymes chivaler ki vynt ove vous en Gales saunz armure ove ki vous futes courtuce.

[Endorsed]

Tradatur peticio baronibus scaccarii, et fiat ibi executio in debita forma pro statu regis bono processu.¹

TRANSLATION.—To our lord the King—Your ‘surizian’ . . . shows you that when he was the other day at his country, (by) your leave, the people of the country came to him and complained of (? the collector) of the tenth penny, that is to say, of Sir Roger de Swynerton, that he had taken otherwise than he ought to have done, that is to say, in each merchant town one hundred sous or more and in each other little town according as the town was rich. And besides this (that) he had caused gross money to be proclaimed, and taken their money against that gross money, and that thus he always gained two sous in twenty sous, which easily amounted to one hundred pounds ; and this without his being coroner of the

¹ Ancient Petitions, No. E. 25, Record Office.

country, and that since he has been in the office, he has taken 100 marcs or more, according to what people of the country say.

Sire, make enquiry into your rights by loyal justices, and you will find that this is so, as I have given you to understand. That same knight who came to you into Wales without armour, to whom you were courteous.

NOTE.—This curious complaint, addressed to the king himself, cannot be said to be strictly anonymous, for in his last sentence the writer reveals his identity in a clue which, though it may have been inscrutable to private secretaries, would be clear enough to the king. ‘That knight who came to you into Wales without armour, and to whom you were courteous.’ There was an expedition into Wales in the spring of 1295, and to that expedition the knight probably refers. What is certain is that the events complained of occurred in the year in which King Edward I. was levying a tenth penny on all his liege subjects, for it was in connection with the collection of that tenth penny that the trouble arose. Furthermore, the collector whose exactions are challenged was Roger de Swynnerton. And thus it comes that the following information taken from the Patent Rolls and the Parliamentary Writs helps us to the exact date of the petition :—

In 1294, ROGER DE SWYNNERTON, Knight, is appointed assessor and collector in the county of Stafford of the TENTH granted in Parliament at Westminster on the morrow of St. Martin, 12th November, his commission being tested the same day.¹

It is not likely that Roger de Swynnerton accompanied the army into Wales in the ensuing spring, as he was then busy in the king’s service in the county. The petition intimates that he was also made king’s coroner while in the discharge of those duties, and that was probably so, because at the time of his death, early in 1298, on 8 February, the king’s close writ is issued to the sheriff to cause another coroner to be elected in his stead.² A.D. 1295 therefore would be the date of the armourless knight’s petition of complaint.

Who was the ‘knight without armour’ who made it his business to inform thus against one of his neighbours? His actual name is not disclosed, but it is possible to solve his secret all the same. He calls himself the king’s *surizian* by which I understand that he was a king’s *suzerain*, that is, a tenant of the king holding land of him directly in chief. He seems to have got leave, a few days before, to visit his own county, which was certainly the county of Stafford. He was also apparently a man of some local importance, for the people came and complained to him that Sir Roger de Swynnerton had oppressed them, exacting more from them than was due all through the county, 100 sous or more from large towns and proportionately from small, and above all weighing their light money, their clipped and sweated coins, against ‘gross money,’ thus clearing 10 per cent for himself or fully £100.

¹ *Rot. Pat.* 22 Edw. I. m. 2 ; *Parliamentary Writs*, i. 27.

² *Rot. Claus.* 26 Edw. I.

All this, say they, he did before he was even appointed coroner, while after his appointment he took for himself 100 marcs or more.

And then our knight *sauns armure* closes his anonymous report thus : 'Sire, enquire into your rights by lawful justices and you will find that all this is just as I have said. *The same knight who came to you into Wales without armour, and to whom you were courteous.*'

The necessary conditions we find fulfilled in the person of a certain knight named Sir Robert de Standon who was an enemy of the king's coroner Roger de Swynnerton, whose manor of Standon adjoined the manor of Swynnerton, and who, in addition to his other lands held of the barony of Stafford, held also three virgates of land in Fenton directly of the king himself, which his father Vivian de Standon had inherited as heir of his kinswoman Philippe de Fenton in 25 Henry III.

Between the two families, the Swynnertons and the Standons, existed a long and a bitter feud of which the Plea Rolls of the time afford ample evidence. As early as 1247 they were at law with each other respecting their respective rights to common of pasture on Swynnerton Heath. A final concord was made at Lichfield on 3 February, 1248, by which the Standons were to have reasonable common of pasture for all kinds of cattle, and their villeins for all kinds except swine, while the Swynnertons were to be at liberty to break up and cultivate the half of the heath towards the north, the Standons agreeing to pay the Swynnertons for pasture a rent of 4s. yearly at Swynnerton.¹

The dispute came before the courts again in 1276,² and in the next reign in the year 1322, when other causes had conspired to embitter the feud, we have the evidence of a curious indenture in Norman French, still existing, to prove the existence of long-standing injuries inflicted admittedly by the Standons upon the Swynnertons. The indenture bears testimony that Vivian de Standon (the son of Robert above-named) with certain of his friends had bound themselves in a sum of 500 marcs to Roger de Swynnerton by a recognizance made in the Chancery of the Lord the King, Edward the son of Edward, the second day of May in the year of his reign the fifteenth, of which 500 marcs Roger de Swynnerton had received and acknowledged the sum of 330 marcs, and it goes on to say that the said Roger grants for himself, his heirs, etc., that if the said Vivian de Standon will conduct himself to him well and decently as one neighbour should do to another in word and deed and do him no damage in goods, or any other manner of wrong,³ that then the said recognizance of 500 marcs shall be of no force for ever, and that Vivian de Standon for his part grants for himself, his heirs, etc., that if it can be lawfully shown that he injures Roger de Swynnerton in any way against the form aforesaid that then the recognizance as regards the balance unpaid, namely 160 marcs of the 500 marcs, shall stand, in whatsoever hands it may be found. The principal witness to this remarkable instrument is 'Monsire James de Audeley,' afterwards to be so famous as the hero of Poitiers.

¹ *Rot. Pat.* 22 Edw. I. m. 2 ; *Parliamentary Writs*, i. 27.

² *Rot. Claus.* 26 Edw. I.

³ *Qe si il soy porte bien a ly et convenablement come veysin fera a autre en dit et en fait et ne soydoine contre lui en meyntenaunce a null ou en autre maner a tort qe le dit reconisaunce, etc.*

The date-clause runs as follows : 'Escrit a Swynnerton le lundy procheyne apres la feste de la Translation de Seynt Thomas le Martir l'an de Nostre Seygnour mil trescents vynt 2^{me} (1322).

On the whole, therefore, it will be seen that there are cogent reasons for supposing that the knight who laid anonymous charges with King Edward I. against Sir Roger de Swynnerton the elder, the collector of the tenth in the county of Stafford, was Sir Robert de Standon, one of the king's *suzerains*, and that he was the *chivaler sans armure* in the expedition into Wales of 1295.¹

II

A gardeyne Dengleterre et au consail nostre seigneur le Roi mostre Roger de Swynnerton que come nostre seigneur le Roi li avoit graunte un oier et terminer a monsire Johan de Somery et monsire Rauf Basset en le Conte de Stafford vers Willam de Chetelton et autres pluseur trespaseurs de ceo qil debruserent les portes de ces maners et les entrerent en divers leus, et ses gentz illeques trovez baterent, et asquines enpristrent et amnerent et emprisonerent, et ces biens et chateux a graunt sume pristrent et emporterunt par divers feetz, et estre ceo un Alisaundre son baillif tuerent et un Richard son frere mahemerent et nafferent taunqz ala mort, et qaunt le dit Roger pa li et les seons vodraient le dit briefes et ses autres besoignes en le pais seure le dit Willam od graunt multitude des mesfisours, armes a chyval et a pe vount de iour et nuit gaitant le dit Roger et les seons qil ne se osent mostrer nule part, et mettont le peeple de celes parties en tiel effrai que nul nose venir par sumonnse ne par attachement devaunt les Ministres de Roi a conustre ne iurer de chose que les touche tauntz remedie seit mis et mesqz nostre seigneur le Roi maunda a viscounte par son brief qil feit defendre tieux chivauchez et effraiz et nomement devers de dit Roger et les seons, et qil feit attacher les trespasours si nuls fussent trouer le dit Willam ouesque les trespasseurs avaunt ditz nount cesse pr le defens le dit Viscounte, ne il nest de poer de les attacher ne arester. Parquei il prie qe tiel remedie seit ordene que la pees seit meintennez et que le peeple purra illeges dreit et lei avoir.²

NOTE.—The former petition belonged to the settled reign of Edward I. This pictures the civil disorders of the reign of his son. The petitioner is Roger the son and successor of the Roger de Swynnerton already spoken of, and the subject of his complaint in the obstruction and the violence which he

¹ Standon Deeds, No. 6, in original at the Stafford Library.

² Record Office, No. 7812.

encountered in the discharge of his office as conservator of the peace for the county of Stafford. Associated with him for the hearing and determining of cases were John de Somery and Ralf Basset, while one of the chiefs of the party hostile to them and the king was William lord of Chetelton.

The date of the petition, in this case also, can be fixed exactly. It was presented in 13 Edward II. 1319-20, which belonged to a period of great disturbance, when Staffordshire, and probably other counties as well, were practically under martial law. Roger de Swynnerton, then governor of the king's town of Stafford, had been entrusted with the superior custody of the peace throughout the county, to do and to exercise those things which should tend to the fullest preservation of the same peace, as well for the king's honour and advantage as for the tranquillity of the people of those parts.¹

The petition translates thus :—

To the guardian of England and to the council of our Lord the King Roger de Swynnerton sheweth, that, inasmuch as he has granted to him an oyer and terminer (as well as) to Sir John de Somery and to Sir Raufe Basset in the county of Stafford against William de Chetelton and several other offenders who had broken down the gates of his manors and entered them in divers places and his people there found they had beaten and some of them they had seized and led away and imprisoned, and his goods and chattels to a great sum they had carried off by divers deeds, and besides this one Alexander his bailiff they had slain, and one Richard his brother they had maimed and beaten almost to death, and when the said Roger and his people wanted to serve his briefs and do his other business in the country in peace, the said William, with a great multitude of armed malefactors, on horse and on foot, came day and night, lying in wait for the said Roger and his people, so that they dared not show themselves anywhere, and they put the people of those parts in such fear that none dare come for summons or for attachments before the officers of the king to make known or to swear anything that touches them unless a remedy be found, and although our lord the king ordered the sheriff by his brief that he should forbid such raids and such outrages and especially against the said Roger and his people aforesaid, yet they have not at the interdiction of the said sheriff desisted, nor has he any power to attach or to arrest them. He therefore prays that such remedy be ordered that the peace may be kept, and the people there have their right and their law.

Such was the knight's petition. The date of it can be

¹ *Patent Rolls*, 12 Edw. II. m. 17.

fixed within a month. It will be observed that it is addressed to the Guardian, that is the Regent of England, and to the king's council. That necessarily means that it was presented at a time when the king was absent from the realm, and the particular occasion implied in this document must have been the short period of his absence in the summer of 1320, when he crossed the Channel to do homage to Philip V. for his possessions in France, leaving Aymer de Valance regent of the kingdom. He was only absent a little over a month, for he sailed on 19 June and returned on 22 July.¹ The petition was sent in during that short interval, namely between 19 June and 22 July, 1320, and the corroborative evidence that this must have been the case is found in the following extracts from the Rolls.

(1) At an assize held in 17 Edw. II. 1323-4, the Hundred of Offelow presented that James son of William de Stafford and John his brother, on the occasion of the contention between James de Stafford and the Swynnertons, had assembled a *great number of armed men, both horse and foot, in the 12th year of the present reign* (1318-9) and had *attacked and ill-treated* RICHARD de SWYNNERTON *at Ecclesball*; that they were at Burton and Boroughbridge assisting the Earl of Lancaster; and that WILLIAM, LORD OF CHETELTON, Nicholas de Langford, knight, and John de Twyford, knight, are common malefactors and disturbers of the peace, and *that they were with arms and horses in the society of the said James and John de Stafford*.²

(2) The king, at the intercession of Nicolas de Verdon, subsequently (October 27, 1322) pardoned James and John de Stafford, the sons of William de Stafford, junior, for certain of these crimes, *and especially for the death of Alexander [the bailiff] of Swynnerton by them slain, and also for the outlawry pronounced against them*.³

A comparison of these various evidences, therefore, clearly shows that the 'petition' in point must have been forwarded after 12 Edw. II. 1318-9. And the fact that it was presented to the regent and not to the king himself fixes its date between the narrow limits of 19 June, 1320, the date of the king's departure for France, and 22 July of the same year, the date of his return.

CHARLES SWYNNERTON.

¹ *Fæd.* ii. 428; *Parl. Writs*, II. ii. 146.

² *Staff. Coll.* vii. pt. 2, 23.

³ *Pat. Rolls*, 14 Edw. II. m. 19. Dated at York, 27 Oct.

CASTLE-GUARD

IN a paper entitled 'Castle-guard,' which I read before the Royal Archæological Institute some time ago,¹ I advanced the suggestion 'that if we find castle-guard commuted at the rate of eightpence a day, we may fairly infer that this commutation was effected at a time when eightpence a day was the recognized value of the service, that is, under Henry II.' Since the appearance of this paper the *Catalogue of Ancient Deeds*, issued by the Public Record Office, has brought to light the record of an actual case of commutation, and this transaction can be shown to belong to the reign of Henry II. The English abstract given in the *Catalogue* faithfully reproduces the terms, but the document is of such exceptional importance that I shall here give the actual text :—

Notum sit tam presentibus quam futuris quod ego Man' Arsic clamo quietum Gill[ebertu]m filium Johannis Marescall . . . et heredes suos de me et de heredibus meis de Warda sua de Doura pro x[solidis] quos mihi debet reddere singulis annis proxima die dominica post clausum Pasche vel ballivo meo apud Cogas' T[estibus] Marg[areta] uxore mea ; Alberico Arsic patruo meo ; Willelmo Arsic fratre meo ; Unfrido de Bertona . . . Et ex parte Gill[eberti] Ade (sic) de Pirit' (and 8 others ending with 'Thoma de Piritona').

With the genealogical value of this document I have dealt in another place ; what we have here to deal with is its evidence on castle-guard. And, first, as to its date. Gilbert was the son of that John the Marshal who played so prominent a part as a supporter of the empress under Stephen, and who seems to have died in the year 1165. Gilbert is returned in the *carte* of 1166 as holding a knight's fee under the Bishop of Exeter,² another under Richard de Chandos,³ and one under Manasser Arsic, in which he had succeeded his father John.⁴ But on the Pipe Roll of October in that year, although he is charged with £100 for his share of his father's lands, a note adds that he is dead (p. 95). Thus, as he held under Arsic in succession to his father, the date of this charter is narrowed down to 1165-6.⁵

¹ It was subsequently published in the *Archæological Journal* (June, 1902).

² *Red Book of the Exchequer*, p. 250. ³ *Ibid.* p. 284. ⁴ *Ibid.* p. 304.

⁵ In his edition of *l'histoire de Guillaume le Maréchal* (1901) M. Meyer

Coggs (Oxon) was the head of the Arsic barony (held in 1165-6 by Manasser Arsic), and the holding to which the charter relates is identified by the endorsement 'Swindon.' Mr. Maskelyne, the editor, who, like myself, has not enjoyed the advantage of 'Advanced Historical Teaching,' has no hesitation in making this to be 'Swindon, co. Wilts.'¹ But if he had consulted the index to the *Red Book of the Exchequer* (p. 1322) he would have learnt that the 'Suindone' which owed ward to Dover (as part of the Arsic barony) was Sevington (in Kent)! He would have learnt also from the same work that, of the other fees in this barony, 'Ramesham' is Faversham in Kent, that 'Karsintone' may be Keston in Kent, that 'Baselcote' also is in Kent, and that 'Bartone' is there also. The odd thing, however, is that these places are respectively Rampisham in Dorset; Cassington, Oxon; Balscote, Oxon; and Barton Ede, Oxon; Coggs, the head of the barony, being also in co. Oxon. These identities are certain, being proved, strangely enough, by the very test which Mr. Hall alleges himself to have applied; for they had all alike been held by Wadard, the Domesday predecessor of the Arsics. We read, for instance, in the *Red Book* preface:—

The place-names in this Index have in fact been subjected in turn to a three-fold scrutiny. In the first place the apparent form was ascertained by means of topographical indexes and maps; secondly, these selected forms were checked by reference to printed records and county histories; finally, they were subjected to a new and independent scrutiny by ascertaining whether the tenants or proprietors mentioned in the text agreed with those recorded in Domesday Book, etc., etc.

It has taken many months to identify, even partially, the Kentish place-names alone, for three separate lists occur of the ward-fees of Dover castle in which the several place-names often bear neither the faintest resemblance to one another nor to the modern forms, which, moreover, do not always exist (pp. ccclxxix., ccclxxxii.).

Just so. If in defiance of county histories, of Domesday Book, and of feudal evidence, you persist in trying to discover in Kent places which belong to other counties, you will naturally find that the modern forms upon which you pitch for the purpose will be sometimes destitute of 'the faintest

observes that 'M. Round a établi dans une lettre publiée par le journal *The Academy* (9 Juillet, 1892) que Jean le Maréchal était mort dès 1165 et qu'il avait laissé ses biens à ses fils Gilbert et Jean' (iii. 2).

¹ Two of the witnesses are named from the neighbouring village of Purton, the 'Piritone' of Domesday. Thomas de 'Peritone' held one fee under Arsic in 1166.

resemblance' to the names of which you are in search. And you are likely to expend 'many months' on your curiously wrong-headed labour.

Since I called public attention to the strange results of this delusion and to the havoc it made of local history, one of Mr. Hall's ablest colleagues has been led, we have seen, like myself, to identify Swindon with Swindon and not with Sevington in Kent. It will be seen, therefore, that when my criticism is actually put to the test, its justice is recognized from within the walls of the Public Record Office itself. It has also, as I write, been recognized even more emphatically from within those of the British Museum. In his eagerness to vindicate Swereford's knowledge of all Exchequer matters Mr. Hall devoted a part of his preface to the official edition of the *Liber Rubens* to an *ex parte* attempt to dispute my views on the antiquity of scutage.¹ Admitting that it 'really matters very little except for clearing Swereford's reputation,'² he endeavoured to discredit my own evidence, and insisted that even if genuine, it pointed to a levy which 'was no real scutage in the sense of so much per fee of every knight . . . but was a lump sum levied as a "common assize" from all the military tenants of a single barony' (p. clvi.). I replied to this by a paper on 'The antiquity of scutage,'³ in which I printed additional evidence including, as 'the most conclusive document,' the British Museum charter, Cotton MS. Nero, C. iii. fo. 228, which cannot be later than 1149, in which I italicized the words:—

excepto scutagio quod quando evenerit unum militem dare xx solidos tunc illa det ii solidos. Si miles unus i marcam, illa xvi denarios

as proving 'that scutage was so established an institution in the days of Stephen that it was levied at either a marc or a pound on the knight's fee, just as it would be under Henry II.; the system, in short, was fully developed.'⁴ Mr. Hall, in the coun-

¹ *Red Book of the Exchequer*, pp. cli.-clvi.

² This is the wrong-headed view that Mr. Hall persisted in taking, speaking for instance of it as 'one of the heaviest charges under which Swereford . . . lies at present undefended.' There is of course no charge whatever against Swereford's 'reputation' or veracity. He merely confessed his ignorance of any evidence on the subject, which evidence has now been brought to light and which Mr. Hall has attempted in vain to discredit and stifle, in the interest, one must presume, of 'Advanced Historical Teaching.'

³ *Studies on the Red Book of the Exchequer*, pp. 1-16.

⁴ *Ibid.* p. 8.

terblast he issued privately, replied that it was 'curious to find' me seriously citing 'forgeries,' the evidence of which he ridiculed, without deigning to discuss them.¹

But what is the official verdict of the British Museum authorities? Selecting the above charter for special exhibition they drew particular attention to its important mention of scutage (see the official guide to the MSS. p. 40); and now they have selected it for inclusion in their noble volume of *Facsimiles of Royal and other Charters in the British Museum* (vol. i.), as among those as to which 'there is no question as to the genuineness.' Moreover in their comments on this charter, the official editors observe that—

The institution of scutage has generally been attributed to Henry II. in or about 1156; but it is here found in force in Stephen's reign, probably at least ten years earlier. Reading Abbey was in fact exempted from it by a charter of Henry I. (Round, *Feudal England*, p. 268); and it is also mentioned in an interesting series of charters of Newhouse Abbey, co. Linc., circ. 1150-5.²

The genuineness of my evidence and the justice of my conclusion is thus triumphantly vindicated, and it follows, to quote Mr. Hall's words, that the 'familiar view of the institution of scutage in the reign of Henry II. must be henceforth for ever abandoned.'³

Here then we see Mr. Hall endeavouring in vain to throw doubt on evidence distasteful to himself, which enables us to make an important advance in our knowledge of institutional history. In the same work, when editing the documents which I had shown to belong to the great Inquest of Sheriffs (1170), although it had been supposed that no such documents existed, he similarly endeavoured to reject my discovery and brought forward a hopelessly wrong alternative view of his own.⁴ Here again historians appear to accept, without question, my own identification of these interesting records.⁵ One has surely a right to protest when an editor, who thus betrays his incorrigible wrongheadedness and his inability to interpret rightly the documents with which he has to deal, comes forward to teach us how documents should be edited and to insist

¹ *The Commune of London and other Studies*, p. xvi.

² Notes to charter 17.

³ *Red Book of the Exchequer*, p. clii.

⁴ See *The Commune of London*, pp. 125-36.

⁵ See, for instance, Sir James Ramsay's *The Angevin Empire* (1903), p. 118.

upon our need in the matter for 'advanced historical teaching'! 'Diplomatics' is a beautiful word, but it does not and it cannot act as a substitute for logic and for common sense. It is not a personal but a public matter when the public is asked to subscribe in the name of historical teaching to the propagation of such editing as that of the *Liber Rubeus*.

So far back as 1895 there appeared in the *Transactions* of the Royal Historical Society a paper on 'The progress of Historical Research'—written, one presumes, by its Director—in which it was pointed out that 'it is useless to spend hundreds and thousands of pounds (as we have done, and in some cases are still doing) on the publication of historical texts' by unqualified editors, the results being seen *inter alia* in 'many topographical and philological absurdities' (p. 274). So far as topographical absurdities are concerned, I think we may fairly concur in this expression of opinion when we examine the Dover ward lists in the *Red Book of the Exchequer*. It was also urged, with good reason, that 'the editor must interpret the cipher (*sic*) of the scribe by means of the most approved methods of historical, genealogical, topographical and philological learning.'¹ And the attention of the Fellows was called to the subject as 'one which will inevitably attract much notice during the next few years.' The prophecy fulfilled itself. In the 1902 volume a part of the Presidential address is devoted to that fulfilment.² The President referred to the above paper as having brought forward 'the importance of encouraging the higher and more professional study of history, of establishing courses for the scientific training of students,' explained how 'the Council of the Society took the matter up,' and insisted that 'the connection of the Royal Historical Society with the movement has been in reality close throughout.' The result of much anxious work and of collecting subscriptions for the end in view was the establishment of 'a lectureship in Palæography, Diplomatics and Historical Sources,' to which one may add the information, which is not there found, that the lecturer appointed was—the society's own Director and Hon. Sec., Mr. Hubert Hall.

If it should be said that by this appointment the society has signified its approval of the editing of the *Liber Rubeus*

¹ Compare here *Ancestor*, i. 193 note.

² *Transactions*, vol. xvi. pp. xviii–xxiii.

one can only emphatically say 'so much the worse for the society.' But the qualification exacted of its Fellows is hardly such as would entitle them to express an opinion in the matter.

To return to Castle-guard. The paper I contributed on the subject to the *Archæological Journal* had for its main object demonstration of the value for county history of payments for castle-guard, which often enable us, when in doubt, to identify a manor and to trace its feudal descent. Recently, for instance, I have noted a payment to the castle-guard of Lancaster from Nether Broughton, Leicestershire. This place was not originally connected with Lancaster or its Honour, but, through its grant by Henry I. to Stephen, Count of Mortain, became so connected and is found about the middle of the twelfth century in the hands of the Bussel family, barons of Penwortham, Lancs. That this place should owe guard to a castle so far distant is a further reminder of the folly of trying to locate in Kent places which happened to owe castle-guard to Dover. But indeed the adjacent county of Northampton supplies a striking instance in point. For Hartwell in that county provided two knights towards the guard of the no less distant fortress of Dover.¹ Need one add that the editor of the *Red Book of the Exchequer* places it without hesitation in Kent, although he can find in that county no place of the name? This, however, is no obstacle, for he would doubtless claim it as one of those names which, as he somewhat obscurely observes, 'do not always exist.'² In vain does Domesday enable us to explain the connection between Hartwell and Dover; in vain did the historian of Northamptonshire, in the eighteenth century, record that Hartwell owed this service³; 'Advanced Historical Teaching' has altered all that.

In the name of those topographical studies with which the *Ancestor* concerns itself, I again call on the responsible authorities to withdraw promptly from circulation their edition of a work which the county historian is bound continually to use, and of which that edition, if he trusts it, will lead him into wanton error.

¹ See the *Victoria History of Northamptonshire*, i. 295.

² See p. 73 above.

³ Bridges' *Northamptonshire*, i. 303.

APPENDIX

For the convenience of those who may have occasion to use the *Red Book of the Exchequer* in their historical work, I append a list of the principal criticisms and corrections I have as yet published on the official edition.

‘The surrender of the Isle of Wight’ (*Genealogical Magazine*, i. 1 et seq.)

‘The Antiquity of Scutage’ (*Studies on the Red Book of the Exchequer*, pp. 1-16)

‘The Red Book of the Exchequer’ [general criticism] (*ibid.* pp. 17-66)

‘Alexander Swereford’ [his authority] (*ibid.* pp. 67-91)

‘The Red Book of the Exchequer’ [genealogical criticism] (*Genealogist* [N.S.], xiv. 1-9)

‘The Inquest of Sheriffs’ (*Commune of London*, pp. 125-36)

‘The Coronation of Richard I.’ (*ibid.* pp. 201-6)

‘The great inquest of service’ [1212] (*ibid.* pp. 261-77)

‘Castle-ward and cornage’ (*ibid.* pp. 278-88)

‘Family history from the public records’ (*Ancestor*, i, 251-2)

‘Castle-guard’ (*Archæol. Journal*, lix. 154-9)

For a summary of the result of my criticisms see Mr. Poole’s article in *English Historical Review*, xiv. 148-50, where will be found the words: ‘The charges are very sweeping, but in my opinion they are made out.’

J. HORACE ROUND.

SOME PORTRAITS AT THE SOCIETY OF ANTIQUARIES

QUEEN MARY (No. XXXVII)

THE well known portrait of Queen Mary by Lucas de Here, which forms the frontispiece to this number of the *Ancestor*, is probably the largest signed work extant by this artist. It is a fine example of his painting, and, with the exception of an ill restored finger on one hand, is in perfect preservation. The colour scheme is gold, brown and rose. The dress, which has a large pattern painted in encrusted style, is of brown and gold brocade, while the rich fur on the sleeves is brown, and the background is of rose coloured velvet, showing the marks of folding. The face, small in proportion to the hands, is delicately treated, painted simply, with light shadows, the expression grave but not ungracious, an epitome of restrained power. Masterly too is the treatment of the hands, again painted in light tones, but expressive of nervous strength to an unusual degree. Queen Mary wore much jewellery; on her fingers are no less than six rings, all set with black stones similar to those which ornament her dress. Two pendants also grace her gown; on the side of one are traceable the words, 'Dieu et mon droit,' and the other has the long pearl which is so frequently seen in her portraits fastened to it. In the left hand corner of the picture is de Here's signature, ^{HF} 1554. The Rev. Thomas Kerrich bequeathed it to the society in 1828, and there is an entry by Sir Frederick Madden in his *Privy Purse Expenses of the Princess Mary*, p. clxxvi., which mentions it, and adds it was 'bought by Mr. K. in 1800 from the collection of Mr. Smith of Boston, co. Lincoln. Reported to have been once at Kensington Palace.'

Seventeen portraits of Mary, including the subject of this note, were shown at the Tudor exhibition in the New Gallery, three being by Lucas de Here and four (one a miniature) by Sir Antonio More. The large de Here was the well known 'Hungad Petition,' and in it Mary wears what Mr. Scharf

(who analyzed all her portraits carefully) calls the Spanish costume with fur trimmings. The other, which is only 8 in. by 6 $\frac{1}{4}$ in. large, is the original of the full length portrait by Richard Burchett in the Princes' Chamber, House of Lords. A paper, delivered by Mr. Scharf at the Society of Antiquaries in 1876, describes the portrait of Princess Mary at the age of twenty-eight, now in the National Portrait Gallery, but formerly in the possession of the Brocas family of Beaurepaire, Hants.

FERDINAND THE CATHOLIC, KING OF SPAIN (No. XXVII).

The five portraits here reproduced belong to an interesting series of pictures bequeathed to the Society of Antiquaries by the Rev. Thomas Kerrich in 1828. It is not known how they came into his possession, beyond the date (1787) when he acquired them, but they are evidently all by one artist, painted for a specific purpose, and are practically unrestored. They are executed on oak panels of one piece with the frames, and these are identical throughout; the pictures vary in size from about 12 in. by 7 in. to 14 in. by 8 $\frac{1}{4}$ in.; gilding is freely used on the dresses; the patterns on the gilding are similar in style and the treatment of the hands is identical. Three of the five here shown, Francis I., Frederick of Denmark and the Sr. de Nassau, are probably contemporary portraits; Charlemagne is evidently painted from life from a person supposed to resemble the Carlovingian hero, while Ferdinand the Catholic of Arragon is the only weak drawing of the set and therefore probably an imaginary portrait. On a comparison of dates, and assuming the surmise concerning Ferdinand to be true, the artist must have painted these portraits after the year 1515 and before 1538. The reason for this conclusion is obvious. Francis I. did not ascend the throne until 1515, Frederick I. of Denmark did not reign in that kingdom until 1523, and the Sr. de Nassau did not receive the order of the Golden Fleece until 1505 and died in 1538. Against the theory that Ferdinand's portrait too was a contemporary work we would place the fact that he died in 1516 and is here represented as a very young man, and therefore to execute it from life the artist must have had an extremely long career, painting it possibly in 1462, when



FERDINAND THE CATHOLIC, KING OF SPAIN.



Ferdinand was twenty years of age, and the King of Denmark in 1523, at the instant when he ascended the throne, making an interval of sixty-one years between the two portraits. There is yet another reason founded on internal evidence alone. It is impossible to conceive that Ferdinand of Spain—he who first united the crowns of Arragon and Castile ; in whose reign America was discovered, the Inquisition established and the Jews expelled ; he who conquered the Moors and drove them out of Spain, who was a friend to France and a traitor to Naples ; he who overran Navarre and was grandfather to Charles V.—could have been this soft featured youth, with rounded cheek and gentle chin. The painting too, as we have said above, is inferior, and were it not for its association with an excellent series, its similarity of size and material, and the words *Fernandus hispanie rex* on the frame, it would, as a work of art, pass unnoticed.

FRANCIS I. OF FRANCE (No. XXIX)

This well painted portrait of the poet-king is remarkable in that it represents him as a youth with longish brown hair and beardless, instead of in the fashion he adopted later. His complexion is clear and bright, and, in spite of the abnormally large nose, the effect on the spectator is of an engaging, handsome man. His sister, Princess Margaret, wrote of his appearance :—

De sa beauté, il est blanc et vermeil,
Les cheveux bruns, de grande et belle Taille,
En Terre il est comme au ciel le soleil.

It is not difficult to understand that he was fascinating, and that he was able to select his 'petite bande des dames de la cour'—'des plus belles parmi les plus belles.' The colours in this portrait are rich ; the blacks are fine in tone and the green background is dark yet brilliant. The crimson mantle partly conceals an underdress of gold, which again only partially hides a shirt bordered with gold. There is a gold fleur de lis enriched with gems, and a golden cross attached to a golden collar which is formed of circlets and double fleur de lis. On the frame is written in a careless manner : **FRANCICVS I REX FRANCORX.**



FRANCIS I. OF FRANCE.



FREDERICK I. KING OF DENMARK (No. XXX)

By the deposition of Christian II. the wars between Denmark and Sweden ceased, the Union of Calmar was dissolved and Frederick, Duke of Schleswig Holstein, became King of Denmark, while the Swedes elected as their king Gustavus I., afterwards called the Great. Perhaps it is owing to the more predominating personality of his rival on the Scandinavian peninsula that little is recorded of Frederick I. of Denmark, and that his influence on the history of Europe was slight. During his reign the Lutheran leaven was working upheaval among the northern nations, and only three years after his death the Reformed Faith was established in his whilom kingdom. His appearance as shown in this picture was curious. He wore his red hair long and a remarkable line of hair under his cheek and chin. He had only faint suggestions of a moustache, his complexion was clear and eyes brown. He wears a golden mantle covered with a crimson pattern, and the whole is placed against a background of emerald green, evidently a favourite colour with the painter of this series. The frame is inscribed in black letters :—

* LE * ROY * DE * DENEMARQUE

In consequence of the absence of any Christian name the subject of this portrait has been open to doubt, and Mr. Way calls it Christian III., who reigned from 1536 till 1559. Mr. Scharf however has removed all uncertainties concerning it, and has also conclusively proved another portrait (formerly in the Bernal collection) reputed to be Edward IV., to be also a portrait of Frederick of Denmark. This other picture is now at Clumber.



FREDERICK I., KING OF DENMARK.

CHARLEMAGNE (No. XXXI)

It is a curious speculation to wonder why this ugly grotesque though virile portrait became sanctified by the addition of a halo and dubbed the Great Emperor. Was this the ideal warrior of the sixteenth century? It is unlike the wonderful epic Charlemagne of Dürer, nor does it resemble the Charlemagne of the Lateran Mosaic, where St. Peter is handing him the banner of the city of Rome. Is it possible that the artist knew that seal of Charles the Great, where too he is represented ungainly with a large hook nose, and which might distantly recall this picture? It is more likely that the painter, essaying to represent the hardy soldier type, held too closely to the living model before him, which, idealized, might have served for an image of the Great Sovereign, but when too truthfully copied became merely the remarkably lifelike portrait before us. The addition of a halo and the words

CHARLEMAGNE

on the frame were enough to give it an honoured position among the royal portraits in this series.

Mr. Scharf in his catalogue *raisonné* says: 'This picture affords a valuable illustration of a curious entry in the catalogue of pictures belonging to Charles I., taken probably in 1635, published by Bathoe, from a transcript by Vertue, 1757. It runs thus: "No. 52. Item, a white hall piece. The twentieth being Carolus Magnus, in a furred cap, with a glory about his head."'



CHARLEMAGNE.

SR. DE NASSAU (No. XXXII)

This picture has again the bright green background which characterizes the portraits of Charlemagne and Frederick of Denmark. It is not in such a good state of preservation as these two ; there are small fissures observable on the face, which is as usual painted simply and in a light key. There was some difficulty in identifying the subject of this portrait, but Mr. Scharf follows the opinion of Mr. Way in deciding that it most probably represents Henry, Count of Nassau, Governor of Brabant and General of the Imperial forces, who was born in 1483 and created Knight of the Golden Fleece in 1505. In the picture the badge is suspended from the upper edge of the brown dress. He lived both under Maximilian and Charles V., and died in 1534. On the frame is written

MONSOVR · DE NASSAV.

ESTELLE NATHAN.



SR. DE NASSAU.

SIR ANTHONY JACKSON, KNIGHT

A HERALD OF THE CIVIL WAR

THIS Yorkshire knight, or should we rather say this knight of Breda in Holland, as it was there he had the honour conferred on him by Charles II. while in exile, was the only son of Richard Jackson of Killingwoldgraves and Eske, in the parish of Bishop Burton, co. York, and Ursula, daughter of Richard Hildyard of Routh. Richard Jackson was son of Anthony Jackson by Margaret sister of Sir Martin Frobisher, one of Queen Elizabeth's celebrated admirals.

He was born at Killingwoldgraves in the year 1599, or according to the inquest after his father's death was 'aged ten years and eight months on the 3rd May James I. (1610).' According to Le Neve he was admitted to the Inner Temple in 1616 and knighted at Breda in 1650. He was called to the Bar 1635, and was a Gentleman of the Privy Chamber to Charles I., by whom he was promised the place of Prothonotary of the Common Pleas at Oxford in the year 1646.

Sir Anthony Jackson appears to have acted as Herald in proclaiming Charles II. King of England on his entering England from Scotland in 1651, or more probably at his coronation at Scone. He was taken prisoner at the battle of Worcester, and, having escaped with other prisoners, was retaken and committed a close prisoner to the Tower under an order of the Council of State dated 1 November, 1651. In the order he is described as Anthony Jackson alias Sir Anthony Jackson, and when ten days afterwards his wife obtained permission to visit him in the Tower, she is spoken of as Mrs. Jackson.

He was kept at first a close prisoner, being accused of high treason for invading the nation with Charles Stuart, and for proclaiming him King of England, but he afterwards got the liberty of the Tower.

He petitioned the Protector for release on giving security not to act prejudicially, stating that he was a servant only to the late king, but never in arms, and had only charity to subsist on. His petition, which bears the indorsement 'Herald that proclaimed C[harles] S[tuart],' was referred to the Council

to take fit security on 22 February, 1653-4. He was kept however a prisoner for a couple of years longer in the Tower, and on 5 February, 1655-6, he again petitioned the Protector for release on security for good conduct, alleging that otherwise he must perish for want, as his friends could no longer supply him. The certificate of the Lieutenant of the Tower accompanying the petition states that he has demeaned himself civilly, is retired and studious and very poor and fit to be released.

Other entries in the state papers remove any doubts there may exist as to Sir Anthony Jackson being one of the Jacksons of Killingwoldgraves. From Richard St. George's pedigree of the family it appears that William Jackson (an uncle of Anthony and aged 14 in 1613) married Martha, daughter of Frances Teringham of Weston. In the *Calendar of the Committee for Compounding*, pt. iii. p. 93, there is under the date 24 October, 1645, a reference to the case of Will Tyringham of Bucks (or Yorks), in which he states he had only £100 a year and that the evidences relating to the property out of which this issued were some in the custody of Stanley, one of the County Committee at Windsor, and others with Anthony Jackson of the Inner Temple. In the State Papers of the Commonwealth period there are two entries relating to permission being given to Anthony Jackson to be taken from the Tower to Westminster Hall to appear as a witness on a trial between Sir Gerard Fleetwood and William Terringham.

The petition of Sir Anthony Jackson to the Protector to be released from the Tower and the statement that 'he must perish for want' if not set at large show that his property had been dissipated in the cause of the Stuarts. Killingwoldgraves, Eske and other lands in the county of York were either confiscated or sold. In a petition to Charles II. he stated—

that he was Servant to the late King Charles I. that in the beginning of the wars he undertook and to his very great expense and daily hazard of his life, the transmission of intelligence and for the same in the year 1645 being betrayed by one Moore with great hardships got to Oxford where his Majesty was graciously pleased in signall of his favour for the services done to confer the place of a Gentleman of the Privy Chamber in Ordinary and soon after of a Prothonotary—that according to order he attended on his Majesty's person during his restraint under the Scottish Army at Newcastle when being none beside the petitioner but Mr. Lovett whom his Majesty would confide in very great charges was committed to him all of which as in his letters to the Queen (to whom upon the Scots delivering him to the English the petitioner was with

SIR ANTHONY JACKSON, KNIGHT 91

private instructions sent) he was pleased to signify petitioner in the exact Loyalty and diligence performed Since when petitioner attended your Majesty till being taken at Worcester he was committed to the Tower a close prisoner until 1658 and afterwards a prisoner on Baile All the time whereof he was under the menace of Capetation, of suffering death being charged with High Treason for proclaiming your Majesty King and his acting the office of one of the Masters of Requests at his examination which service before recited and the plunderings and imprisonments, suffered further having so utterly wasted his fortunes as he hath not wherewith to maintain either liberty or substance and he prays to be restored to these offices afforesaid.

For years of anxiety and suffering and for his loyalty to his king the only return Sir Anthony Jackson received after his petition was an order from Charles II. on the Treasury to give him the paltry sum of £50; and the closing scene of a chequered career takes place when he is laid to rest in the old Temple Church of London on 14 October, 1666.

According to Richard St. George's Visitation, Sir Anthony Jackson had three sisters, Frances, Elizabeth and Jane, but we know little or nothing of his domestic life, nor have we any knowledge of his wife's name or family, the date of her death or whether they left any children to perpetuate their name. As the family of Greer who are connected by marriage with the Irish Quaker families of Jackson claim descent from the Killingwoldgraves Jacksons and Hildyards it would be interesting to know authentically if this Yorkshire knight left any male issue.¹

The arms as given in the Visitation and confirmed 16 June, 1613, to Richard Jackson were gules two dances ermine and a chief ermine with three golden suns thereon.

Sir Martin Frobisher in his will dated 'Fowreth daye of Auguste in the sixe and thirtie yeare of the raygne of our Sovereigne Ladie queene Elizabeth,' makes mention of the relationship existing between the families of Frobisher and Jackson.

WILLIAM JACKSON PIGOTT.

¹ In the *Modern Visitation of Ireland*, edited by the late Dr. Joseph Jackson Howard and Mr. F. A. Crisp (i. 9), the Greer claim to this descent is thus shown: Thomas Greer married in 1787 'Elizabeth, dau. of William Jackson of Edenderry, King's County, lineal descendant of Richard Jackson of Killingwold Grove, co. York.'

FAMILY HISTORY FROM PRIVATE MANUSCRIPTS

IN the first number of the *Ancestor* was given an instalment of extracts from the Appendices to the Reports of the Royal Commission on Historical MSS. Those which follow will further illustrate the value of the information they contain on family history, often supplying, as they do, missing dates of marriage or of death, and supplementing these at times with a wealth of illustrative anecdote and gossip. Even those who are but slightly interested in genealogical study can hardly fail to appreciate the vivid and contemporary glimpses we are thus enabled to obtain of the social life of our forefathers.

J. H. R.

MSS. OF S. H. LE FLEMING, ESQ., OF RYDAL HALL¹

[NEWSLETTER GOSSIP]

1666[-7], 29 Jan.—This morning the Earl of Rochester was married to Mrs. Mallet, Lord Hawley's grandchild, to whom Lord John Butler had for some time made his addresses.²

1666-7, 7 March.—Lord Vaughan, eldest son of the Earl of Carbery, is dead without issue.³

1666-7, 16 March.—Lady Honora O'Brien, relict of Sir Francis Inglefield, has petitioned the King for relief from the ill usage of her husband, Sir Robert Howard, son of the Earl of Berkshire. 18th, The Duke of Richmond is to marry Mrs. Stewart after Easter. The King has given him leave to enlarge his lodging upon the water side in the Bowling Green in Whitehall.

1667, 2 April.—Mrs. Stewart, now the Duchess of Richmond, continued at Whitehall till yesterday morning, when the King first learned that she was married, and then she immediately returned to Somerset House. The Duke is at Dover Castle. In his absence she refuses all visits, and seeks to make her peace at Court.

¹ From the 7th Appendix to the 12th Report.

² The actual date of this marriage appears to have been hitherto unknown. The earl's attempt to carry off this heiress by force and his committal to the Tower made a great sensation.

³ Date not in *Complete Peerage*.

1667, 3 April.—The Marquess of Worcester died suddenly last night at Worcester House.

1667, 22 April.—Last night is memorable for the Duchess of Newcastle's first appearance at Court. She came in the evening attended with three coaches, the first of her gentlemen, of two horses, the second her own, of six, and the third that of her women, of four. Her train was carried by a young lady in white satin. Her first visit was to the King, who sent the Lord Chamberlain to conduct her to the Queen, where his Majesty came to her. This visit is thought extraordinary.

1667, 25 April.—Last night the Duchess of Newcastle visited the Duchess of York in the same equipage in which she visited the Queen.

1667, 24 May.—Tuesday next is appointed for the marriage of Lady Isabella Keith and Sir Edward Turner's son.

1667, 28 May, London.—William Dugdale, Norroy, to D. Fleming. I have resolved to perfect my collection of materials for an historical work on the *Baronagium Angliæ*, being every day at the Tower little less than twelve hours for that purpose. I pray you to help me to what you can in reference to the Barons of Egremont, or others in those northern parts, within a year or two, but what you do therein must be from the authority of old manuscripts and original charters which I may vouch, for I resolve to quote authority for whatsoever I say therein . . . I lodge at Mr. Ashmole's chamber in the Middle Temple, and am like to do so until our office is rebuilt. The Duke of York's younger son, called Earl¹ of Kendal, died on Wednesday last. The Lord Treasurer's funeral will be about a month hence. His body is to be carried to Titchfield near Southampton. The Earl of Lincoln died last week at his house, not far from Charing Cross.

1667, 27 June.—The marriage of Lady Isabella Keith and Sir Edward Turner's son was consummated last night.

1667, 23 July.—The Earls of Mulgrave² and Rochester,³ though under age, are to be called into the House of Peers this session.

1667, 2 Aug.—Yesterday the Earl of Manchester and the Countess of Carlisle were privately married.⁴ It is owned by them to-day.

1667, 9 Aug.—The Countess of Clarendon died last night at St. James's. 12th, Sir H. Bellasis died of his wounds yesterday morning. Mr. T. Porter has fled. 13th, It was found on examination that the sword had never pierced the body of Sir H. Bellasis.

1667, 15 Aug.—Lady Anne Knollys, daughter of the Earl of Banbury, is missing from her grandmother's, the Countess of Portland

¹ 'Duke' according to the *Complete Peerage*.

² He was not yet 20 years old.

³ He also appears to have been only 19.

⁴ Date not in the *Complete Peerage*.

at Newport House, having, it is believed, been conveyed thence by a young gentleman of Dorsetshire named Fry. 17th, The young gentleman who carried away Lady Anne Knollys was lately page to the Duke of Buckingham. 19th, Lady Anne Knollys was immediately married to Mr. Fry at Knightsbridge.

1667, 29 Aug.—To-day or to-morrow Sir Greville Verney will marry Lady Diana Russell.

1667, 12 Oct.—The Governor and Council of Virginia have made complaint of Lord Baltimore, as usurping the title of an absolute sovereign.

1667, 12 Dec.—The Earl of Burlington in marrying his second daughter to the second son of the Lord Chancellor [Clarendon], had Clarendon House tied to him for 14,000*l.* in lieu of a jointure for the young lady. This not having been paid he has taken possession of the house.

1667[–8], 7 Feb.—A committee is appointed by the King to consider the ways of preventing the frequent mischiefs of duelling.

1667[–8], 17 March.—The Earl of Shrewsbury died yesterday at Arundel House, where he has remained all this while [since his duel].

1668, 4 June.—Lord Brudenel's marriage with Lady [Frances] Savile, eldest sister of the Earl of Sussex, was perfected last week,¹ but it will not be consummated for five months for particular reasons.

1668, 18 Aug.—Mr. Henry Howard, nephew to the Earl of Carlisle, was lately killed in a duel by Mr. Curwen, a gentleman of the North.

1668[–9], 5 March.—The Duchess Dudley, who lately died aged almost an hundred years, has, to crown all the charities of her life, given great legacies to pious uses. Her body is exposed in state at her house in St. Giles in the Fields.

1668[–9], 11 March.—On Tuesday night there was a quarrel between the Duke of Richmond and Mr. James Hamilton, after they had well dined at the Tower with Sir Henry Savile. They had chosen their seconds, but the Lord General sent for the principals, and put them on their honours not to prosecute it. The Earl of Rochester was one of the party, who, upon his disgrace at Court, intends to go to France for some time. 16th, The corpse of the late Duchess Dudley was this morning carried out of town in a stately hearse attended with a numerous train of coaches.

1669, 7 June.—It is now become a less secret that Colonel Talbot, of the Duke of York's Bedchamber, is married to Mrs. Boynton, one of her Majesty's Maids of Honour.

1669, 9 June.—Some days since, the Countess of Portland, formerly Countess of Newport, died in town,² and her house, called New-

¹ No date is given for this marriage in the *Complete Peerage*.

² Her death is given as 'about 1669' in the *Complete Peerage*.

port House, was immediately seized by Mr. Fry who had married Lady Anne Knollys. Her body was privately buried at Somerset House.

1669, 7 Sept.—Sir Edward Bathurst and Sir William Drax, two famous aldermen, died last night.

1669, 16 Sept.—The bodies of Sir Edward Filmer and Lady Lexington,¹ who died lately at Paris, having been embalmed, are being brought over for burial.

1669[–70], 4 Jan.—The marriage between Lord Torrington, son of the Duke of Albemarle, and the daughter of Lord Ogle, was on Thursday solemnized in the Cock-pit, but the joy thereof was much lessened by the illness of the General.

1669[–70], 25 Jan.—On Saturday last Lord Dunkellin, eldest son of the Earl of Clanricarde, was privately married to the Court beauty, the youngest daughter of Mr. Bagnall.² It has abundantly furnished the Court and city with discourse, but has not at all pleased their Majesties, who have suspended both the Bagnalls, father and son, from their attendance at Court.

1669[–70], 14 March.—Lord Ros, eldest son of the Earl of Rutland, presses for a divorce and for liberty to remarry,³ urging the precedent of the Marquess of Northampton in the time of Edward VI. All the Bishops oppose his liberty, except the Bishop of Durham.

1670, 26 Nov.—London. William Dugdale to [D. F.] ‘Being very desirous that you should see a specimen of my historicall worke of the *Baronage* I have herewith sent you what I have done—cheifly from our publique Records—for the family of Clifford, whereby you will descerne what course I take in all others; which is to represent the matter of fact as briefly and plainly as well may be. Something also I shall add in the latter part thereof but for breif send you this, to the end I may have your judgment thereof, and that you may shew it to the noble lady at Appleby, and from her collections impart to me what more may be usefull for the farther illustration of the story of her noble ancestours, intreating you to present my most humble duty and service to her.’

1670, 20 Dec.—16th, On Wednesday the body of Mr. Stanley late Cornet of the Guards was accompanied out of Town, for interment at Lathom in Lancashire, by several Brigades and Companies of Horse and Foot Guards, and a numerous train of coaches of the Nobility. There has been a report that Mr. Loveing has been lost at sea on his way to Denmark. A duel between two of the Prince of Orange’s train has taken place in Tothill Fields. 17th, Last night Lady Halifax died in her house in Lincoln’s Inn Fields.

¹ No date is given for her death in the *Complete Peerage*.

² No date is given for this marriage in the *Complete Peerage*.

³ Compare *Complete Peerage*, vi. 467.

1671, 23 March.—The Proclamation intended to issue for the apprehension of those who stole away Mrs. Darcy, a young gentlewoman of a great estate, but deaf and dumb, is to be stopped, she having been found yesterday, but married.

1671, 8 April.—We hear from Florence of the sudden death of Mr. Thomas Clifford, son of Sir Thomas, Treasurer of the Household.

1671, 5 June.—From Leghorn we hear that Mr. Clifford's corpse was met by all the English living in the factory, twelve miles out of town, and accompanied from Florence by Sir John Fruer, Sir Bernard Gascoigne,¹ and divers others, and passed directly through the city to the water side in due order becoming the occasion, 35 great boats attending them to the *Centurion*, where the great cabin was hung with black. The English ships in the port fired at least 300 great guns.

1671, 14 July.—London. W. Dugdale to [D. F.]

I thank you for the papers, especially for the passages of the later times wherein I was very deficient. Had looked only superficially over the epitome written by the Lord Chief Baron Hales, and shown to me by Lord Hutton who had borrowed it for the purpose of the Lady at Thanet House, because it gives in many places no authorities. My own information about the Viponts is much fuller than that in the said document. 'I wish I could see some authority for what he mentions of that grant of the younger daughter and her husband—Leiburns—of the Shireevewick of Westmorland unto Robert de Clifford the heire of the elder daughter—by the King's licence as he says. Out of that copy of the life of Henry, Lord Clifford who was constrained to live under the disguise of a shepherd, as also from that of George Earl of Cumberland, and the noble Lady now living, I have extracted what I thought fittest, and have cast it into my own mould; for I intend my whole worke shall be all of one web.'

1671, 30 Sept.—Last week Mr. Overton who some time since stole away Mrs. Ann Darcy, the deaf and dumb lady, came with four companions to the house of Mr. Barnes who married her sister, and with whom she had been staying for some time, and sought to force his way in. He was resisted and was followed by Mr. Barnes and some friends towards Warwick, arrested and brought before the magistrates there, and committed to prison.

1672[-3], 23 March.—Sir W. Dugdale to D. Fleming.

'As to his other question, grounded upon one of his ancestours sitting in Parliament, it is soon answered; viz. that there is no hopes of any advantage to him thereby, had it been upon a reall summons. At that time when this letter was sent to the Pope declaring King Edward I. right to the superiority of dominion in the realme of Scot-

¹ This was the knight of that name who was condemned to die by Fairfax's court-martial on the surrender of Colchester (1648), but reprieved at the last moment.

land,¹ and before; those who were tenants to the King by military service, and then called *Barones minores*, did come to Parliament. But after that none but those as were summoned by speciall writt. Nor of those who were so summoned by writt did, or could their posterity for some ages, clayme by right to sitt there, if the King did decline to summon them.

Sir, I humbly crave your pardon for this my boldnesse with you. My necessary being in London at some times doth much retard that publique worke of the *Baronage* wherewith I am in hand; yet I hope in Trinity Terme next to be ready for the presse with my first volume, which—as I have intimated to you—will consist of those who had their rise by tenure; those by summons beginning in King Edward's time.'

1673, 25 March.—A duel between the Earl of Rochester and Lord Dunbar has been prevented by the timely intervention of the Earl Marshal.

1673, 30 July.—Yesterday morning was the trial at the King's Bench Bar of Mr. Ayne of the Guards, for having killed the Countess of Shrewsbury's coachman in an accidental quarrel near the Court gate. The Duke of Ormond, as steward of the House, sat as judge,² assisted by Judge Littleton.² The jury acquitted him.

1674-5, 9 Feb.—8th, His Majesty has granted the dignity of a Baronet of England, and a coat of arms, to Cornelius Martinus Tromp, Lieutenant Admiral of Holland, and to the heirs male of his body, failing such, to his brother, Harper Martin Trompe, Burgomaster of Delft, and his heirs male, and after that to his brother Adrian Martir Tromp, Captain in the Prince of Orange's regiment, and his heirs male.

1675, 31 Aug.—On Saturday last a quarrel upon some light occasion arose at the Duke's play-house between Sir Thomas Armstrong and one Mr. Scroope. They both drew and the latter was killed upon the place. All excuse Sir Thomas, as Mr. Scroope gave the provocation and drew first.

1675, 14 Dec.—The King has in Council ordered that the young Lord Courcy,³ hitherto brought up in the Romish religion, should be demanded of Sir Edward Scot, and sent to the Dean of Christ Church, Oxford, to be educated.

1675[-6], 23 Feb.—Richard Duckett to D. F. Your cousin Jane Crossland is married to Sir Walter Vavasour's eldest son,⁴ the best Catholic match in Yorkshire.

¹ This is the baron's letter to the Pope, which is illustrated in the present number.

² Compare the Introduction (pp. xii., xv.) to *The Household Book*, by W. A. Lindsay, K.C. (Windsor Herald).

³ Almeric (suc. 1669), generally known afterwards as Lord Kingsale.

⁴ This is a somewhat puzzling statement, as in the *Complete Baronetage*

1676, 20 Nov.—Lord Mohun, second to Lord Cavendish, in a duel with Lord Power, has been mortally wounded.

[16]80, 12 and 19 May—D. Fleming to Lady Middleton, at Leighton. Advising her, as he has already advised another rich widow, his cousin Curwen of Workington, to marry a Protestant who will protect and convert her. *Copy.*

1680, 3 Aug. Leighton.—Anne, Lady Middleton, to D. F. I am much troubled at my sister marrying Mr. George Leyborne. I do not like her example so well that I shall follow it. I think that in that particular you speak out of drollery.

1682, 3 June. Heralds' College, London.—Sir William Dugdale to Sir D. F. There is no memorial in the office of Sir John Ballantine's knighthood. He is one among others, whose names are on a list, 'who assume that title, but never received that honour from this king. We have also a note of a greater number which do take upon them the title of Baronets, who had warrants from the late King to pass patents for that title, but did not proceed any farther therein.' Knights made by a Commissioner are of the same standing as those made by the King himself.

1682, 17 Nov. London.—Sir William Dugdale to Sir D. F. We have no record particularly of Knights Banneret. 'They have been very ancient, as is to be seen in the Rolls of the Tower here and there upon occasion, and as to the Knights of the Bath you must know that all who were made knights were antiently bathed. But I presume you meant such as have been made at the Coronations of Kings or creating of the Prince of Wales. I think it were not amiss that a catalogue of such and of other knights were printed, but my fellows in this office do utterly oppose it. Had it not been for me the catalogue of Baronets would not have been printed, which I was constrained to press, in regard that divers persons who never passed patents for that honour, did assume the title of Baronet.'

1682, 16 Dec.—Sir Christopher Musgrave to Sir D. F. My father did wisely in declining a warrant for a Barony. Acceptance would have ruined the family. I have not so vain a thought about me.

1687, 28 July.—Hutton. Henry Fletcher to Sir D. F. Lord Coleraine has got a good woman¹ and a good fortune for his son, which I heard him say would be worth to him 30,000*l.* Her father's name is Carleton, a merchant in London, that my father has bound my brother Thomas to for eight years. My brother is gone to Ham-burgh, and is to stay there most of his time. My father gives with him 300*l.*

this 'eldest son' is described as 'only surviving son and heir of his father Sir Walter, when he succeeded him in 1670?' No date is there given for his marriage to Jane Crosland (whose mother was a Fleming).

¹ Lydia, daughter of Mathew Carlton.

MSS. OF THE MARQUIS OF AILESBUURY¹

[MARRIAGE OF THE FIRST DUKE OF DEVONSHIRE TO THE DUKE OF ORMONDE'S DAUGHTER]

COLONEL EDWARD COOKE TO [LORD BRUCE]

1662, 13 Sept. Dublin.—My Lord Francis arrived here last Sunday and is well but thin; Lord Ossory as worthy an honest general as lives, and my Lord John comes on apace, very diligent at the head of his company, and Lady Mary improves strangely in stature and beauty. Really my Lord Cavendish enjoys his share also in sobriety, and I do absolutely believe there is true love on both sides. We shall ere long go into the country on purpose to marry privately, which upon very good grounds I have hastened on as quickly as I can.

COLONEL E[DWARD] C[OOKE] TO THE COUNTESS DOWAGER OF DEVONSHIRE

1662, 26 Oct. Dunmore.—A short letter on a wedding day, from a person of consequence for carrying on the duties of the day may well be owned for a great obligation. In the marriage itself we anticipated the intended spectators by despatching it before their appearance, but soon after the inundation broke in upon us; and as much as hath yet passed in all my experience of all English weddings, I never saw parts so universally well acted. My Lord Cavendish indeed hath not his new wardrobe yet come (though we hear it is landed), but his extraordinary personage and behaviour did so set off his but ordinary apparel, that he made a complete bridegroom for the occasion. My Lord Duke hath from first to last evidenced a great deal of satisfaction in this day's work, and let down himself from his Lord-Lieutenancy, to be only the bride's father and to direct obligations and welcomes to all the guests. And then for the incomparable creature, my Lady Mary, she is a mere little bundle of great goodness, sweetness, and modesty, and really that your Ladyship may partake with me in my abundant satisfaction in my Lord Cavendish this day's behaviour was not only his master-piece, but might be a pattern to all great bridegrooms in the world.

[COLONEL EDWARD COOKE TO LORD BRUCE]

1662, 12 Nov.—'On Monday was the wedding day, which was kept with all the jollity such an occasion was capable of, and all ceremonies due to it. I was removed from the lower to the upper end of the table as representing the bridegroom's relations; whilst he handsomely and confidently waited. Really he acquitted himself admirably well in all circumstances, and she with the greatest goodness and modesty, that everybody was almost the bridegroom's rival, not

¹ From the 7th Appendix to the 15th Report.

forbearing to be in love with his bride. The whole day was danced away and the night too, till the bride was in and her groom ready to go into bed, which done in all due decorum, and the door shut, (the company much exceeding the bedroom) dice boxes and cards walked below, whilst my Lord and all us of the soberer sort walked up to bed. Now I have given your Lordship an account of the goodness of the country and the activity of its governor who was always first out and last in, and rode as hard as the hardest, I must complain of the bad inhabitants of this good country. A generation of people scarce one remove from savages, if not in the same form of brutality, their houses are like hog-styes, and so they are where the absolute . . . and they themselves swine-like in all things but shape, their habits are swine-like, all live and lie together without any distinction of ages or sex, their houses are not to be gone but grope into, they making their doors as low and little as they can, and their ceilings thatch as low as a man's head.'

SALE OF SIR PETER LELY'S PICTURES, 18 APRIL, 1682

Master's Name	Name of Picture	Measures		Purchasers	Price		
		High	Broad		£	s.	d.
		ft.	in.	ft.	in.		
Van Dyck	The Family of Endymion Porter	3	7	5	3	Earl of Mulgrave .	155 0 0
	Another Family of Seven Figures	3	7	5	3		110 0 0
	The Earl of Strafford and Two Sisters	6	1	5	3		81 0 0
	Lady Thimbleby and Sister with a Cupid	4	4	4	11		96 0 0
	Mrs. Kirk, a whole length	7	0	4	3		80 0 0
	Duchess of Richmond, a whole length	7	3	4	4		61 0 0
	The Countess of Middlesex, a whole length	7	2	4	4		26 0 0
	The Countess of Carlisle and a Child	4	4	3	5		47 0 0
	The Countess of Sunderland	4	3	3	8		33 0 0
	Tho. Killigrew with a Mastiff	3	5	2	9	Lord Newport . .	83 0 0
	Mr. Mallory	3	5	2	9		41 0 0
	Sir Walter Pye	3	5	2	9		40 0 0
	The Lady Pye	3	5	2	9		27 0 0
	Mr. Taverner	3	5	2	9	Jac. Van Hornbecke	20 10 0
	The Countess of Carnarvon	4	5	3	8		22 0 0
	The Countess of Newport	2	6	2	0 $\frac{1}{2}$		22 0 0
	Sir Arthur Hopkins in an Oval	1	10	1	6		34 0 0
	Lady Hopton	2	4	1	11		20 10 0
	Lady Tufton	2	4	1	11		4 0 0
	Countess of Newport	2	5 $\frac{1}{2}$	2	1		18 10 0
	King Charles the First	1	8	1	7		10 10 0
	Marquis of Huntley	2	5 $\frac{1}{2}$	1	11 $\frac{1}{2}$		17 10 0

THE COUNTESS DOWAGER OF DEVONSHIRE TO [LORD BRUCE]

1663, 21 Aug. Roehampton. — 'We have a report here Mr. Montague shall marry my Lady Anne Digby. I conceive it proceeds from the entire friendship betwixt my Lady Anne Digby and my Lady Harvey. Mr. Griffin is a very earnest suitor to Mrs. Steward. I do not hear she is inclined to marry. My Lord Duke of Buckingham, who is her very great friend, dissuades her from any fortune that is not very great.'

LORD BRUCE TO THE EARL OF AILESBUURY

1704[-05], 6 March. London. — There is a thing I am now at liberty to acquaint you with, which for some reasons was not allowed me till now, by the post. It is a treaty of marriage with my Lady Ann Saville which is so far advanced that everything is agreed upon, and my Lord Nottingham did me the honour to carry me on Sunday to wait on the old Lady Halifax, and yesterday to the young Lady Halifax, his daughter, and my Lady Ann Saville who lives with her. This matter being now so near a conclusion I hope it may appear to your Lordship a proper time for my sister's coming over since I shall now be in a condition to receive her.

MSS. OF SIR T. H. G. PULESTON¹

1730-31, 15 Jan. Dublin. — I can send you nothing from this place but a long train of unlucky disasters which have lately happened in the provinces. The only brother of Sir Laurence Esmond had married by stealth a daughter of Colonel Butcher of Killcash. Father and son had only just been reconciled, when the lady's brother, visiting her and fiddling with a gun in the parlour, by accident shot Mr. Esmond in the leg, and no surgeon being near the wound mortified and he died. About the same time two young ladies, Miss Hawley and Miss Burford, while taking the air in a four-wheeled chaise, the driver having got down to fasten the lintspin of a wheel, the horses took head and ran into the river, overturned the chaise and both ladies were drowned. This happened in the county of Kilkenny near Lord Hoath's² hunting seat. Miss Burford lived in his family and the other lady was there on a visit. Lord Hoath married the daughter of General [G(e)orges], his only brother Harry St. Laurence spending his Christmas at Killbrew, Mr. Georges' seat in the county of Meath, when the account came of this disaster, Mr. Hamilton Georges, brother of the gentleman of the house, said he heartily pitied his sister Lady Hoath who had lost so amiable a companion as Miss Burford, he knew not what she would do for company having nobody but that silly Miss Rice. St. Laurence, who was

¹ From the 7th Appendix to the 15th Report. ² Howth.

uncle to this young lady and excessively fond of her, resented her being called silly ; whereupon a quarrel ensued and after they had gone to bed Mr. Georges went to St. Laurence's chamber to ask his pardon when St. Laurence bounced out of bed and went to his pistols and bid Georges to take one, which he declined, and declared if they must fight, it were better in the morning but St. Laurence swore if he hesitated any longer he would shoot him through the head. Georges took a pistol and fired both balls hitting St. Laurence who lived a few days after, happily for Georges, as there was no third person in the room. The Lord Chief Justice has given Georges bail.

1743, 6 Dec. Near Charleville.—A nephew of Col. Massey's has carried off Miss Ingoldsby, a lady of 1,200*li.* a year, and gone with her to France. A reward of 300*li.* a piece for taking of him and his associates is offered by the Government.

MEMORIAL OF EDMUND SPENCER TO THE DUKE OF MARLBOROUGH

[1748, Nov.].—That the memorialist is great-grandson of Edmund Spenser, the poet,¹ to whom Queen Elizabeth for his writings and services granted certain lands in Ireland. That William III. granted other lands in Ireland to William Spencer, memorialist's grandfather, for services to the Crown, particularly at the battle of Aghrim. That the said lands descended to Nathaniel Spencer, memorialist's father, who mortgaged them for large sums, and soon after died, leaving memorialist, an infant of tender years, to the care of a guardian, who converted the income of the lands to his own use, and died insolvent in memorialist's minority. That memorialist's estates have been since sold for payment of his father's debts, and the memorialist is reduced so very low circumstances.—*Copy.*

¹ A generation is obviously omitted here. William Spencer was the poet's grandson, being the son of Sylvanus Spencer.

[The above extracts have been made with the permission accorded to the ANCESTOR by the Controller of His Majesty's Stationery Office.]

A PAROCHIAL CHARTULARY OF THE FOURTEENTH CENTURY

AMONG the Harley MSS. of the British Museum (No. 3669) is a remarkably interesting chartulary pertaining to the chantries of the parish church of Crich, Derbyshire. It affords by far the fullest particulars of any mere parochial chantries now extant, and is in other ways of exceptional character, particularly in the information it affords of the once famous Derbyshire family of Wakebridge. It has not hitherto attracted the attention it deserves.¹

This register or chartulary consists of 106 folios, and was evidently purchased for use at the time of the foundation of the first chantry, *circa* 1350. When the inventories of the two chantries were taken in 1368 this book is entered as pertaining to the first chantry—*Registrum cantarie*. From its contents it is obvious that it remained in the custody of the chantry priest of St. Nicholas and St. Katharine until the days of Edward VI. Nor was the book treated merely as a register wherein to transcribe copies of the endowment charters of the first and second chantries, for it was also used as a convenient place wherein to record parochial agreements relative to the church made a century before the founding of the first chantry, as well as various other matters relative to the chantries and the parish of much later date.

As a varied local record of this description is almost unique, it may be of some value to chronicle the general contents of this register, and in certain parts to cite largely from its pages, more especially as it throws considerable light on the social and religious condition of our ancestors in a retired Derbyshire village immediately after the awful visitation of the Black Death.

The register opens with the writs and inquisitions of Edward III. relative to the first chantry done into English by

¹ A fairly long account of a good deal of its contents was given in my *Churches of Derbyshire*, iii. 35-46 (1879). Certain parts of this chartulary were transcribed by Adam Wolley, the Matlock antiquary, and are to be found in Add. MSS. 6669, ff. 1-11.

a later hand, whereby the king was satisfied that Sir William Wakebridge had freehold land in Crich to the annual value of £10 over and above that which he proposed in each instance to alienate 'unto a chapelayne to singe for the sowles of his predecessors at Chriche.' The messuages, lands, cottages and rents appropriated to the chantries were situated at Crich and its hamlets of Wakebridge, Wheatcroft, Plaistow, Fritchley, Tansley and Holloway ; at the adjacent hamlets of Dethick, Lea, Alveley and Harston ; at Hassop in Bakewell parish, and at Teversall in Nottinghamshire.

To obtain the royal sanction for the alienation of all this property the founder made two separate applications in 1350. The writ for the first half was addressed to John Waleys, escheator for Derbyshire, on 20 April, and the licence was obtained on 3 July. In the following month, namely on 10 August, a further writ *ad quod damnum* was issued to Walter Montgomery, who was then the county escheator, as to the alienation of the remainder of the foundation property, and licence was granted on 3 December.

Various reservations or rent charges were retained on the chantry property. They were quaintly enumerated as follows in the English version :—

Imprimis one halpenye was reserved to the Heyeres of Hugh Gurneye for the mansion in Chriche as hit dothe appeare by the dede. Item one halfepeyne was reserved to the heyres of Heugh de Londeforth for the same as hit doth appere by the dede, w^{ch} rent is not now to be payed for that, neyther of the grauntours hathe anye Heyres. Lykewyse fyve shyllinges are to be payed to the prior of Felley for the tenement w^h was Thomas Eyres of Chriche, and thre shyllinges and fowre pence are dewe to the same prior for the tenement w^{ch} the sayde Thomas dyd hold in furtesleye and six pence are dewe to the chyrch of Chriche for the tenements in Chriche by the graunt of Adam Eyre. Lykewise one penye is dewe to the Heyres of Wylliam Kenerdsaye lord of the Lee for one tenement w^{he} is in the handes of Simon Whetcrofte. Lykewyse one halfepeyne is dew to the light in the Church of Chriche for all other tenements in Whetcrofte w^{ch} were Alexander Lees. Lykewyse a payre of gylden spores or six pence in moneye are dew to the lord of Chriche for to plow lande at Strichthorne, wyche were Henrye Codinton. Lykewyse one apte is dewe to Richard Clarcke for one mesuage and toe acres of lande the w^{ch} Ihon of Chestershire dyd purchase of Alexander de Lee. Lykewise one halfepeyne is dewe to W^m of Kenardsaye for three acres of land the w^{che} the sayde Ihon of Chestershire dyd purchase of Thomas de Ferarius. And one halfepeyne is to be payed to the light of Saint Iohn of Dethecke for one plot of land in the Lee w^h is called Hannefelde. Lykewise one pounce of cumine is dew to the lord of Chriche and grindinge of a eleven busshelles of corne is dew to the chapellaynes in the Lee for that halfe part of the milne w^{ch} were Thomas

Ferrars. Lykewyse to shyllinges are dewe to the heyres of Alexander Lee except a releas may be had, and that is to be sought of Iohn of Dethecke and the grinding of an eleven bushell is dew to the chappelaynes of the Lee for that halfe of the milnes w^{ch} were Alexander Lees, and one peny halfepeny is dew to the lord of Tutburye, for the enlarginge of the damme of the lower Mylne of the Lee. Lykewyse six shillinges are to be payed to the prior of Felleye for one plowe land in Clattercotes. Lykewyse one halfepeny is dew to Richard Clarke for all the tenementes the wych Peter of Wakebrugge the father of the founder dyd purchase of Godfraye Holewayes chapelayne in Alveleye, and the w^{ch} the same Godfraye dyd purchase of Alexander Lee.

To this early sixteenth century English succeeds, after a calendar that covers six folios, the chartulary proper, wherein are set forth at length transcripts of the various Latin documents pertaining to the endowment, and the establishment of the chantry. It was dedicated conjointly to Sts. Nicholas, Katharine, Margaret and Mary Magdalene, though usually known by only the first two of these names. It was ordained that there should be daily mass for the souls of the founder and his two wives, Joan who died in 1349, and Elizabeth whom he married in 1350, and who survived him ; for his grandfather, Nicholas de Wakebridge, and his wife Julia, their son Nicholas and their daughters Sarah, Joan and Amy, uncle and aunts of the founder ; for his father and mother, Peter and Joan de Wakebridge, and their children, Robert, Nicholas, Peter, John (chaplain), Matilda, Joan and Margaret, the brothers and sisters of the founder, who all died childless ; for William Cosyne and Eleanor his wife, and their children, John, Cecilia and Alice ; for the founder's surviving sister Cecilia, and her husband John de la Pole ; for Henry de Codington, Margaret his wife, and their parents ; for Roger de Chesterfield, clerk ; for Henry, Nicholas and Geoffrey de Chaddesden, and Nicholas de Tissington ; for William de Balidon, vicar of Crich ; for Sir Roger Beler, lord of Crich, Margaret his wife, and Alice Beler, daughter of Thomas Beler, their niece ; for Cecily Wyn ; and for Ralph Frecheville and his heirs. The chaplain was to assist the vicar on double festivals, on Sundays, and on the feasts of Sts. Katharine and Margaret. He was to provide a wax taper for use in the chancel ; to say full service for the departed on St. Katharine's day, and to offer 5*d.* on the morrow ; and to distribute 10*s.* or its value to the poor of Crich on the same feast.

The right of presentation to the chantry was to be vested for life in the founder, and then, in default of heirs male, in

his sister Cecily and her heirs. After a month's vacancy, if no presentation had been made, the advowson was to pass to the abbot of Darley, to whom the rectory of Crich had been for long appropriated; and after a further lapse of fifteen days, to the bishop. Within fifteen days of his presentation, the chaplain, in the presence of the lord of Wakebridge and the vicar of Crich, and of two other honest parishioners, was to make an inventory of the goods of the chantry, which were to be left at his departure in as good or better condition. On the anniversary of the death of the founder, two wax tapers were to burn at his sepulchre in the chapel of Sts. Nicholas and Katharine, as well as on the vigil and morrow. The chaplain had to say daily full service for the departed and the commendation of souls, save on double festivals.

The chartulary next sets forth at length the respective formal sanction given to the alienation of the chantry possessions in which they were immediately or mediately interested, by Sir Roger Beler, and Roger his son; by Geoffrey Dethick, and John his son; by William de Kynardsye; by Richard le Clerk; and by Roger de Wynfeld.

For some untold reason a delay of several years, involving some rearrangement of the complex endowment, took place before this chantry was duly enrolled. At length, on 4 June, 1356, Richard Davy, chaplain of Stony Stanton, was instituted to the chantry of Sts. Nicholas and Katharine, *de novo fundata*, by the Bishop of Coventry and Lichfield, on the presentation of William Wakebridge. A few days later he was inducted at Crich, by the Archdeacon of Derby, as the first chaplain.

The founder's revised ordinance is recited at length in Bishop Norbury's register (Lichfield Epis. Reg. iii. ff. 48-51); it differs somewhat from the earlier one cited in the chartulary. From it we gather that the altar of this chantry stood at the east end of the north aisle of the parish church; that that aisle had been entirely rebuilt by Sir William Wakebridge; and that its altar had previously been simply dedicated to St. Nicholas. The order for the observance of St. Katharine's day is given in greater detail; Henry de Codington and his wife, together with the relatives and friends of the founder, were enjoined to be present at mass on that day, and on the vigil of the feast to offer two wax tapers at the founder's tomb in the chantry, together with five pence in honour of the Five Wounds of Christ and the Five Joys of the Blessed Virgin.

On a latter page of the chartulary occurs the following curious entry, parts of which are illegible, relative to the distribution of the 10s. to the poor on St. Katharine's day :—

Neghbo^r I let you understand y^t as y^{is} day as you k[now] of old custom y^e chanthe prest of Sanct Nycholas and . . . Kathrin ys bond to dystribute x^d in peny^s [or] penywurthe so y^t eny persons . . . coming have j^d in sylver of sylver wherfor I desyre when masse ys done to tary and receve yo^r dole and to praye for y^e founder Wylliam Wake' . . . I desyre your yonge folkes and al other to tary wⁱⁿ y^e churche and you shal all be fynde Gyff you do nott.

I desyre you to hold me excusyd for [? or] forsothe you shall go w^t out any dole.

There was a chantry house pertaining to this chantry, which the chaplain was bound to keep in repair ; he had also to maintain the fabrics of the several cottages on the property. On the resignation of Henry Coke, the third chaplain, in 1429, a detailed list of dilapidations was entered in the chartulary. The expenses incurred in putting the chantry house in repair amounted to 36s. 11d. A shilling was paid to John Mader *propter shapillyng lapidum*—a quaint instance of the Anglicizing used in low Latin. Several of the tenements were out of repair ; as to that at Plaistow it was reported *non est cooportum nec muratum nec hostiatum*.

In the year 1368 William de Wakebridge obtained the licence of Bishop Stretton to found a chantry at the altar of the Blessed Virgin within the parish church of Crich, *in bonore Domini nostri Jhesu Christi et beatissime Virginis Marie matris sue et omnium sanctorum*. This chantry was usually known as the chantry of Our Lady ; its altar was in the rebuilt south aisle, and had formerly been dedicated to St. Stephen. The composition deed, after reciting that the due assent of the abbot and convent of Darley, of William de Weston, vicar of Crich, and of the parishioners had been obtained, nominated Richard Whiteman as the first perpetual chaplain of the chantry, to which he was shortly afterwards duly instituted by the bishop. The endowment consisted of £6 of rents to be paid annually by the prior of Thurgarton, and of certain lands and tenements specified in a deed held by the chaplain. It was ordained that the chaplain was always to be a secular priest ; that he should daily celebrate solemn Lady Mass, using as second collect one for the good estate of the founder during his lifetime and for his soul after his death ; that the chaplain clad in

surplice, on double feasts, on Sundays, and on the festivals of Sts. Nicholas, Katharine, Margaret and Mary Magdalene, should assist the vicar at mattins, mass and evensong; that he should daily, in conjunction with the chantry chaplain of St. Katharine, say his service and the office for the dead in the church or (in the chapel in the) churchyard; that in the mass he should always mention by name the founder, his wife Elizabeth, Roger de Chesterfield, clerk, John de la Pole and Cecily his wife whilst they lived, and pray for their souls after death, as well as for the souls of Nicholas de Wakebridge and Julia his wife; of Peter de Wakebridge and Joan his wife, together with their sons Robert, Nicholas and Peter; of Joan wife of William de Wakebridge; and of Joan and Margaret daughters of Peter de Wakebridge; that he should daily offer a requiem mass; that he should daily, save on greater and double festivals, say the full service of the dead and commendation of souls; and that on all Wednesdays and Fridays he should say the seven penitential psalms with the litany, save in the weeks of Christmas, Easter and Pentecost. Moreover each successive chaplain, on admission to the chantry, was to take an oath of continuous residence, and of wearing the canonical dress and tonsure. It was also ordained that, whenever the chaplain said or sung mass (*sine nota vel cum nota*), save on double festivals, in the Introit before the mass began, those present should recite devoutly and publicly an Our Father and a Hail Mary; that he should daily after mattins and each of the other hours say the psalm *De profundis*, with the customary versicles, in the hearing of those present (*in audientia astantium*); that at the conclusion of the versicles he should say *Anima Willelmi et anime omnium fidelium defunctorum per Dei misericordiam in pace requiescant*; that the same words should be used by him after mass and compline, and after grace at table; that mass should be said at a convenient hour, so that parishioners and others might be present; that a bell should be rung to give warning of the service; that the chaplain should not hold any other benefice, nor undertake any other regular duty; that on the death, resignation, or removal of the chaplain, the chantry chaplain of Sts. Nicholas and Katharine should receive the profits and fulfil the duties of Our Lady's chantry and return full accounts thereof to the new chaplain immediately on his appointment; that no woman, *de qua suspicio aliqua possit oriri*, should live in the chantry house; that on the anniversary

of the founder's death a requiem mass for his soul should be said, together with the usual office for the departed ; that each chaplain, within five days of his obtaining possession of the chantry, should draw up, in the presence of the chaplain of Sts. Nicholas and Katharine and the vicar, an inventory of the number, condition, and value of the books, chalices, jewels, vestments, ornaments, utensils, and all other goods pertaining to the chantry, which were to be kept in as good or better condition than he found them ; that three copies were to be taken of such inventory, one to be kept by the chaplain of Our Lady's chantry, one by the other chantry chaplain, and the third by the vicar ; that each chaplain should leave for his successor 40s. in money, that sum having been handed to the first chaplain by the founder ; and that no chaplain should appropriate to his own use or leave by will any of the books, jewels, chalices, vestments or other goods pertaining to the chantry. It was further determined that each chaplain, immediately on his appointment, shall swear on the gospels to look diligently after the best interests of the chantry ; that he shall be instituted and inducted personally and not by proxy ; that on the vigil of the Annunciation, in conjunction with the chaplain of Sts. Nicholas and Katharine, he should sing *placebo et dirige* for the souls of Roger Beler senior and Alice his wife, for Roger Beler junior and Margaret and Elizabeth his wives, for Reynold de Greye of Shirland and Matilda his wife, and for the souls of all their ancestors and heirs ; that on the next day a requiem mass should be sung at the high altar for the souls of the aforesaid ; that, in conjunction with the other chantry chaplain, *placebo et dirige* should be sung on the Saturday before the nativity of St. John Baptist, and on the morrow a requiem mass at the high altar for the souls of Roger de Chesterfield and Richard his brother, and for Henry de Chad-desden, Nicholas de Chaddesden, Geoffrey de Chaddesden, Richard de Tissington, Robert de Derby and John Nyk-brother of Eyam, the most special and confidential friends of the founder ; that the same service should be sung at the high altar by the two chaplains, on the vigil and feast of St. Michael, for the souls of William de Weston, vicar of Crich, of William de Balliden the former vicar, of Richard Davy and Richard Whitman the two chantry chaplains, and of all the parishioners of Crich who were then dead, or who should here-afterwards die ; that all the aforesaid services and prayers

should also be for the souls of John de Annesley and Anne his wife, of Robert de Annesley rector of Ruddington (Notts), of John Belewe and Isabel his wife, of John Belewe his son and Alice his wife, and of Cecily Wyn and Robert Attehall, servants of the founder; and that these names, with those mentioned above, should be placed on tablets above the altar, so that they should for ever face the celebrant and be by him recited. It was further determined that on a vacancy in the chantry, through death or other causes, William the founder should present during his lifetime, and after his death his legitimate heirs; that in default of heirs the advowson of the chantry should pass to his sister Cecily and her heirs male, and in default to the abbot and convent of Dale; and that, if the founder and his heirs should neglect to appoint, and also the abbot and convent of Dale after five days' notice, the patronage for that turn should go to the Bishop of Coventry and Lichfield. It was in conclusion ordered that this ordination of the chantry, lest the foundation of it should in course of time be forgotten, should be read distinctly in the vulgar tongue in the church or churchyard of Crich before the duly assembled parishioners, year by year by the chaplain, on the Sunday next before the feast of the Assumption before the beginning of high mass. The ordinance was executed in triplicate, one copy to be kept by the chaplain, a second by the lord of the manor of Wakebridge, and a third by the abbot of Dale. The ordinance was sealed by William de Wakebridge on the Monday after the feast of St. Michael, 1368; by the Bishop of Coventry and Lichfield at Heywood, on 30 October; by the abbot and convent of Dale in their chapter house, on 6 November; and by William de Weston, vicar of Crich, on 11 November of the same year.

The composition of the chantry of Our Lady at Annesley, Nottinghamshire, is next transcribed in the register. It is of almost equal length and similar form to that of Our Lady at Crich. This chantry was founded in 1363 conjointly by William de Wakebridge and Robert de Annesley, rector of the church of Ruddington (Rotynton), with the consent of the prior and convent of Felley as patrons of the church of Annesley. The chantry chaplain was daily to assist the parochial chaplain at mattins, mass and evensong.

A copy of an encyclical letter of Simon Islip, Archbishop of Canterbury, dated 14 December, 1362, addressed to all the

bishops of his province, relative to the observance of holy days, follows in the register. It was probably ordered to be read in all parish churches. The archbishop therein complains, in the usual extravagant Latin of the times, that not only was the custom prevalent of transacting ordinary business on Sundays and holy days, but also of indulging in blasphemous and illicit practices, so that the very times intended for devotion were given up to dissoluteness, the tavern frequented rather than the church, and drunkenness and quarrelling abounded instead of prayers and meditations; in short the whole purport of God in hallowing the Sabbath, and of the Church in setting apart other days for pious observances, had been by the multitude perverted to evil uses. The archbishop therefore enjoined that there should be abstinence from even useful work on all Sundays (beginning to observe it from the vesper hour of Saturday), and on the festivals of St. Stephen, St. John, Holy Innocents, St. Thomas of Canterbury, the Circumcision, the Epiphany, the Purification, St. Matthias, the Annunciation, Good Friday, Easter with the three following days, St. Mark, Sts. Philip and James, the Invention of the Holy Cross, the Ascension, Whitsuntide with three following days, Corpus Christi, the Nativity of St. John Baptist, Sts. Peter and Paul, Translation of St. Thomas of Canterbury, St. Mary Magdalen, St. James, the Assumption of B.V.M., St. Bartholomew, St. Laurence, the Nativity of B.V.M., Exaltation of the Cross, St. Matthew, St. Michael, St. Luke, Sts. Simon and Jude, All Saints, St. Andrew, St. Nicholas, the Conception of B.V.M., St. Thomas, the dedication of the particular parish church and of the saint in whose honour the church was dedicated. The archbishop enjoined upon his suffragans to see that all and singular their flocks, both lay and clerical, should know his will in this matter, and should admonish and effectually induce them to pay due honour and reverence to all these days, devoutly attending not only mass but the full complement of divine services at their parish church, praying with earnestness for the living and the dead. It was further ordered that the relics of the saints might be carried, according to custom, at certain festivals, *ad opera ruralia et licita*.

To this succeeds a memorandum concerning a thirteenth century dispute that arose between the parishioners of Crich and the abbot of Darley as their rector. It was brought to the attention of that strict disciplinarian, Archbishop Peckham,

during the time of his visitation of the diocese of Coventry and Lichfield. Peckham began this visitation at Coventry on Quinquagesima Sunday, 1280; his decision in the Crich case was dated from Lichfield on the last Thursday in July of the same year. In March, as we know from his letters, the primate was at Repton, Darley and Ashbourne, Derbyshire, and later in the year at various places in Staffordshire, Shropshire and Warwickshire, making Eccleshall or Lichfield his usual headquarters. There seems no reason to doubt, as is implied in the memorandum, that this stern friar-prelate personally visited Crich. He appointed Simon de Balliden, vicar-general of the diocese, and R. de Suham, both canons of Lichfield, to act as his commissioners in this disagreement. The complaint of the parishioners was thus redressed. The abbot and convent of Darley were henceforth to find some one to serve as bellringer for the parish church, whose duty it should also be to carry water and fire there as often as required; to provide ropes for the bells; to relieve the necessitous and indigent of the parish; and to provide for the serving of the chantry within the chapel of St. Thomas of Canterbury, situated in the churchyard at Crich, on three days of the week, until the heir of Anker de Frecheville came of age.

A further agreement is next entered between the parishioners and the abbey, dated 28 March, 1281, whereby it was covenanted in the presence of the archbishop's commissaries that the abbey was to find the (patronal) image of Our Lady for the chancel of the church and all other necessities for the chancel, both in books and ornaments, save the missal and chalice, which were to be furnished by the parishioners; and further that the abbey was also to pay their due share of the blessed bread, and of the expenses incurred for the maintenance and repair of the nave, in accordance with the lands, possessions and houses that they held in the parish.

The parishioners of Crich maintained a light to burn perpetually before the image of Our Lady in the chancel of their parish church. For this purpose, as stated in detail in the register, they agreed to set apart 5 acres $3\frac{1}{2}$ roods of arable land in the township of Tansley for which a rental of 4*d.* an acre was paid. Several private benefactions for like purposes are also recorded, including a bequest in 1311 of a halfpenny a year to the light of St. Mary and another halfpenny to the light of St. John, chargeable on a meadow at Tansley.

An indenture, dated on the Sunday after the feast of Michaelmas, 1368, between Roger Beler, William de Wakebridge, Henry de Codington, and many other parishioners of Crich resident in the various hamlets on the one part, and William Weston, the vicar of Crich, on the other, provides that all the ornaments, vestments and books that have been provided individually and collectively for the use of the clergy, chaplains and other ministers between the years 1349 and 1368 shall be placed in the charge of the vicar and his successors, to be held by them for the use of the parish, and not to be privately appropriated or sold by them or by the abbots of Darley. The draft of this agreement in the chartulary does not give any full inventory of the chalices, books, vestments, copes, surplices and ornaments, but specifies a few of the special gifts, including a vestment *de viridi Camace*, with two tunicles and a cope of the same, of the then great value of £10; a cope worth 10 marks, which was the gift of Roger Chesterfield to William Wakebridge and the rest of the parishioners; a chalice worth 8 marks; a missal valued at 100 shillings; an antiphonar worth 60 shillings; and one great psalter left to the parish by William de Baliden, the former vicar.

On the following day of this same year indentures were drawn up between Sir William Wakebridge, the founder, and Richard Davy and Richard Whiteman, the respective chaplains of the two chantries, whereby it becomes clear that the goods named in the parochial inventory were not inclusive of those pertaining to the chantries. There are but few chantry inventories of fourteenth century date, and as they always possess some points of interest to the ecclesiologist and philologist they are here reproduced verbatim.

The goods of the first chantry were :—

j super altare, j haire, j altar clothe, et ij manutergia curta ad pendendum ante altare, Et j manutergia cum frontello super altare, et aliud manutergium debile cum frontello et frontellum novum, ij corporales cum casis Et j missale, j calicem, Et j vestimentum pro dupplicibus festis, Et j vestimentum pro dominicis et j vestimentum debile et vetus pro ferialibus diebus, Et j alter-clothe de syndone ad pendendum ante altare, Et j portiforium, Et ij manutergia vetera pro lavatore, Et j tabula depicta super altare, ij pax bred, ij fiola, Et j registrum cantarie ad sibi (*sic*), Et j vestimentum integrum de blewsamite cum ij tuniculis et j capa ejusdem sortis.

The chantry of the second foundation had a briefer inventory :—

j super altare, et j haire, Et iij alterclothes et ij frontelles, et iiij manutergia, Et iij tapetas ad pendendum ante altare, Et j corporale, Et j novum casum pro corporali, Et j missale bonum, Et j calicem, Et j vestimentum novum, pro duplicibus festis, Et j vestimentum pro dominicis, Et j vestimentum pro feriis, Et j pax brede, Et ij fiolas.

The use of a portable (consecrated) slab as a super-altar on each of these chantry altars shows that no bishop had consecrated the actual altars; in fact such consecration of side altars in an ordinary parochial church seems to have been the exception and not the rule. The 'haire' of each altar means the haircloth uncovering of the altar. The Norwich account rolls for 1400 mention *bayre pro altaribus*, and the Durham rolls twice name *cilicium* for the like purpose.

Towards the end of the register is another yearly calendar, and this is of much more interest, as there are a variety of interpolations, chiefly of the obits of the founder's family. These obits are entered under sixteen different days, and run as follows:—

Jan.	24.	Obit' Johanne de Wak.' a° dni millimo cccxliiij.
March	19.	Obitus Willi de Wak.' a° dni millimo cccxlix.
April	22.	Obit' Juliane de Wak. a° dni millimo cccxviij.
May	18.	Obit' Nichi filii Pet. de Wak' a° dni millimo cccxlix.
June	27.	Obit' Elizabet de Aslacton soror' ux' Willi de Wak.' Anno dni millimo cccxlix.
July	16.	Obit' Robti filii Pet. de Wak' quondam vicar' de Cruch. Anno dni millimo cccxlix.
"	22.	Obit' Willi de Sybthorp. Anno dni millimo cccxlix.
August	5.	Obit' Pet. de Wak' et Johanne filie sue. Anno dni millimo cccxlix.
"	10.	Obit' Johanne ux' Willi Willi (<i>sic</i>) de Wak' et Margarete soror' dicti Willi anno dni millimo cccxlix.
"	15.	Obit' Johis de Wak' capellani anno dni millimo cccxlix.
Sept.	7.	Obit' Nichi filii Nichi de Wak' a° dni millimo ccc.
"	20.	Obit' Pet. filii Pet. de Wak' a° dni millimo cccxlvij.
Oct.	17.	Obit' Matild' de Wak' a° dni millimo cccxliij.
"	20.	Obit' Nichi de Wak' a° dni millimo cccxv.
Nov.	4.	Obit' dni Rogi de Chestrefeld a° dni millimo cccxlvij.
"	9.	Obit' Cecilie Wyn. a° dni millimo cccxlvij.

The striking feature about these obits is the number of deaths in that awful fateful year, 1349. At that time England was being devastated by the Black Death. This great pestilence crossed over the seas from Europe in August, 1348, first appearing in the seaports of Dorsetshire, and thence slowly making its way eastward and northward fed by fresh channels

of infection from other ports. During the winter months it was comparatively dormant ; but by May, 1349, it had reached Derbyshire in the very centre of the kingdom, and raged with fury throughout England for the next four months. The episcopal registers of Lichfield afford undeniable evidence of the overwhelming character of the visitation. The total number of Derbyshire benefices at that time subject to episcopal institution was 108, with an average for the century of seven yearly vacancies through death or resignation. In 1346 the vacancies numbered four, in 1347 two, and in 1348 eight ; but in 1349 the number leapt up to sixty-three, and in the following year (many of the vacant benefices being not filled up till then) they numbered forty-one. Seventy-seven beneficed priests of Derbyshire died in that one dread period, and twenty-two more resigned. In eight parishes the rectory or vicarage was twice emptied, whilst Pentrich, on the opposite side of the valley to Crich, lost three successive vicars in the fatal year. Nor were the regular clergy more fortunate, for out of the small number of religious houses in the county, the abbeys of Beauchief, Dale and Darley, and the priories of Gresley, St. James Derby, and Kingsmead all lost their superiors, so we can judge how the ordinary canons, monks, friars or nuns fared. In short, so far as episcopal registers bear testimony, Derbyshire was pre-eminent among all English counties in the horrors of the pestilence ; for the county actually lost more than two-thirds of its clergy within a twelvemonth.

In Derbyshire no class of the community seems to have been spared, and no place was too remote or admirably situated to escape desolation. The Wakebridges were among the most wealthy of the county families, whilst the family mansion was commodious and placed on high ground in as breezy a district as any that Derbyshire affords. Within three months Sir William de Wakebridge lost his father, his wife, three brothers, two sisters, and a sister-in-law. Sir William as a younger son had gained no small repute amid the stormy wars with France, but, on thus unexpectedly succeeding to the family estates, he seems to have abandoned the pursuit of arms, and to have devoted no small share of his wealth to the service of religion. 'The Great Plague,' as has been remarked, 'had the effect of thoroughly unstringing the consciences of many of the survivors, and a lamentable outbreak of profligacy

was the result. But the dire judgments of God had a contrary effect on many others, who were led by His grace to a newness of life ; and hence, as a practical outcome of their change of habit, we find about this period a marked revival in the works of His Church, such as the rebuilding of fabrics and the ordination of chantries.'

Sir William's earnestness led him not only to found these two chantries in his parish church and to become the co-founder of another in Nottinghamshire, but also to build a large chapel for his family and retainers at Wakebridge. This chapel he furnished on a generous scale ; an inventory of its goods for the year 1368 is inserted in the chartulary. The most interesting items are that it included a portifer or breviary for the lord of Wakebridge's use, and a manual *de usu Lincolnie*. In Wyrley's copy of the visitation of 1569 (Harl. MS. 6592, f. 88) it is stated that Sir William 'builded a fine chapell at Wakeburg, furnishing with orgayne and other costly devises.'

The considerable remains of this chapel were cleared away in the 'forties' of the last century, when the east window was moved into the grounds of Mr. Nightingale at Lea Hurst, which was long the residence of Florence Nightingale of immortal memory.

Others besides Sir William de Wakebridge were moved to liberally endow Derbyshire chantries about the same period. Prominent among these benefactors were Roger and Richard de Chesterfield, and Henry, Geoffrey and Nicholas de Chad-desden, who were generous to the churches of the places whose name they bore. This chartulary shows that they were among the special friends of the benefactor of Crich. Sir William several times served as knight of the shire for the counties of Derbyshire and Nottingham in parliaments held between 1352 and 1362 ; he died in 1369.

His effigy still remains beneath an ogee-shaped sepulchral recess in the north wall of the north aisle. He is represented in a long gown, closely buttoned from neck to waist, bare-headed, with long beard and hair, the hands joined over the breast, and the feet resting on a dog. Two small angels have supported the head, but that on the left is broken off ; the one on the right holds a Katharine wheel to the ear of the effigy ; in all probability the other, when perfect, held some emblem of St. Nicholas. A foolish attempt was made by representatives of the Bellairs family, about thirty years ago,

to claim this as the effigy of Sir Roger Beler, lord of the manor of Crich, and an itinerant justice ; but every sound argument is in favour of it being that of the notable founder of the two chantries.

On the death of Sir William, his sister and heiress Cecily brought Wakebridge to Sir John de la Pole. Their second son, Ralph, inherited this estate, the eldest son settling at Radburne.

Up to the time of a most disastrous restoration of Crich church in 1861, the quartered arms of Pole and Wakebridge remained in old glass in several of the windows. The Wakebridge arms were azure a fesse gules between six lozenges sable, and are instanced by Wyrley in his *True Use of Arms* (1592) as an honourable example of colour upon colour borne by that 'valiant knight Sir William Wakbirge of Wakbirge in Derbyshire.'¹

It only remains to notice the curious and superstitious notes as to lucky and unlucky days for the letting of blood or for the use or abstinence from specific articles of diet with which the calendar at the end of the register has been interlarded. They have apparently been entered by the same hand that inserted the reminder of the Wakebridge obits. There are ten of these entries, one for each month save January and November ; they are here reproduced verbatim :—

February. Potagium de malua vocatum hok' non comedatur quia venenosa est, sunt confrag' manus in vena de pollice imminuere sanguinem vj et viij dies sunt periculosi et calidis cibus utandum est.

March. Ficis et racemis et aliis dulcibus potibus et cibus utendum est, sanguinem minnuere non est bonum, minuere sanguinem xvij die in dextero brachio pro qualiter febr' anni.

April. Si quis minuerit sanguinem xj die Aprilis in sinistro brachio illo anno visum oculorum non perdet, iij die bonum est minuere sanguinem ob visum oculorum. Si quis minuerit sanguinem tercio die Aprilis illo a° extasim Anglice Swymes nec dolore capitis habebit, carnes recentes comede et calidis vescere cibus.

May. Qui in fine Maij iiij vel v^{to} die de quolibet brachio sanguinem minuerit nunquam habebit Febrem In mense Maij mane surgere et mane comede et calidis cibus et potibus vescere capud et pedes alicujus animalis non commedas, iiij sunt dies periculosi, vij. xv. xvi. et xx.

June. Qualiter die jejunans mane bibe unum haustum aque omne cibum et potum in mensura sume et comede, salgiam et lectucam, pro magna

¹ A plaster cast of a fourteenth century seal of William de Wakebrugge is in the British Museum collection [xc. 99]. It bears the charges as related above.

necessitate minuere sanguinem septima die periculosum est minuere sanguinem.

July. Abstinete a luxuria quia contra cerebrum colligit humores, sanguinem minuere noli duo sunt periculosi dies xv et xix. Julio et August cavendum est minuere sanguinem viij die Kal' Augusti nam tertia die mors sequitur.

August. Olera de malues nec de caulis commedere noli cibum calidum ne commedas, potum veterem nec bibas, sanguinem minuere noli, sunt periculosi, xix et xx°.

September. Omnes fructus maturos commede sanguinem minuere bonum. Si quis minuerit sanguinem xvij die Septembris a paralisi ydropici franesi et morbo caduco non habebit timorem hoc anno.

October. Justum bonum est bibere et sanguinem minuere si necessitas cogat, unus dies periculosus est.

December. Tres dies pre aliis servandi sunt ne aliquis sanguinem minuerit, videlicet, vij Kalen' Aprilis, viij Kalen. Augusti, viij Decembr, quare qui in istis diebus hominem vel pecudem percutit tertia die moriatur et hoc probatum est.

The same hand also supplies, at the end of the calendar, the following prescription :—

For y^e stone strangury and colyke.

Take malues, violet, mercury, meke of yche j handfulle percele, meydon here, tho this tyll of yche half a handfulle, of lyquerice j quartron, seth all yis in iiij quartes of ale tyl y^e half be consumet. Yen streyn hit thore a clothe and gyf hym vj sponfulle of y^t licor to dry nek in y^e morowe cold and at nyght lew warme w^t half a sponfull of y^e powd^r y^t folows,

Take careaway, fenelsede, spyknard, anneys cinamon, galyngale of yche di unce, gromelsede j unce lycorys j unce cene (*sic*) y^e wyeght of alle.

J. CHARLES COX, LL.D., F.S.A.

THE PURSE OF THE GREAT SEAL IN 1578

THIS interesting relic of Elizabethan days is also a very excellent specimen of needlework, the silks of which are scarcely faded, though, as the date, 1578, on a label beneath the coat-of-arms tells us, it has been in existence nearly three hundred and twenty-five years, and the pile of the velvet on which it is mounted is almost entirely gone. Few of these purses are now in existence, although one was anciently delivered each year to the Lord Keeper, and in the eighteenth century the wife of a Lord Keeper long in office made the curtains of her state bed of these strange perquisites. Many such purses must have fallen to the Bacons, a score of them to the old Lord Keeper, whose great son Francis also held the seal. The history since the death of the old Sir Nicholas Bacon, its original possessor, is shown by the pedigree of the Bacons of Shrubland, the descendants of his third son.

The seal bag was probably the last which Sir Nicholas was to handle, for he died 20 February, 1578^g, and the bag must have passed to Edward Bacon his third son, who had made an estate for himself by wedding the heiress of Shrubland Hall in Suffolk, an estate which stayed with the Bacons for six generations.

The Rev. Nicholas Bacon, the last of his line, was the third son of the fourth Nicholas Bacon of Shrubland, and of Dorothy Temple, granddaughter of Sir William and Lady Temple.¹ At the time of his succession to the Shrubland estates, he held three of the family livings, viz. Coddensham-cum-Crowfield, Barham, and Bramford, in Suffolk. He had built the present vicarage house at Coddensham, and he elected to spend the rest of his days there, instead of returning to the great rambling old Hall, which had been the home of his youth. He put Bramford in charge of his friend John Longe, one of the Longes of Reymerston and Spixworth in Norfolk, whose

¹ N.B.—Lady Temple was the celebrated Dorothy Osborne ; see *Letters of Dorothy Osborne*, edited by his Honour Judge Parry.

great grandmother had been a Bacon (a daughter of Sir Francis Bacon, Judge of the King's Bench). He looked upon him with great affection, and also, no doubt, in the light of a distant kinsman of his own.

The two friends further cemented their bond by marrying sisters and co-heiresses, Maria and Charlotte Browne ; and when Nicholas died, in 1796, he left all his personal property, advowsons and lands in Coddendam and Barham and Hemmingstone to this same John Longe, who came into possession in 1797, and died at Coddendam Vicarage in 1834. He was succeeded there by his second surviving son Robert, who was for fifty-six years vicar of the parish, and who died in 1890, in his ninetieth year, and thus the purse of the Great Seal passed, with other things, into the possession of his eldest son, Robert Bacon Longe, now of Spixworth Park.

JULIA G. LONGE.



THE BACON PURSE.
1578.

SOME EXTINCT CUMBERLAND FAMILIES

IV. THE GREYSTOKES

IT is difficult to treat of an illustrious family like that of Greystoke within the limits of a short article, or to confine it to one county, when we know that its distinguished place among great feudal houses more properly belongs to all northern England. Possessed of large estates in Yorkshire, Durham, Northumberland and Westmorland, as well as in Cumberland, and allied by marriage with many of the principal families of these counties, the Greystokes of Greystoke exerted a powerful influence in northern affairs and occupied a conspicuous position in the political and military administration of the Border. But as the family took its name from a Cumberland lordship, long reputed as a barony, and had been for centuries identified with that district, it may be permissible to trace the baronial descent as it affected the county in which the chief residence of the family was situated. There is no intention to follow the offshoots of this family or of any other family discussed or to be discussed in these papers. The object of the present article is simply to pursue the main line and to authenticate as far as possible the successive links in the pedigree. Few northern houses have attracted more pens to delineate their descent than the house of Greystoke, and though we are unable to agree with the conclusions of many of the genealogists, we venture to claim the reader's indulgence on those points on which we have been obliged to dissent from the traditional interpretation.

The origin of the family in Cumberland cannot be set further back with any show of authority than to Forne son of Siolf, to whom Henry I. granted the barony of Greystoke when he took into his own hand the lordship of the land of Carlisle after the departure of Ranulf Meschin, its first Norman ruler, about 1120.¹ But it is fashionable to set up Siolf the

¹ Dugdale did not carry the pedigree higher than Ranulf son of Walter, who paid '300 marks and one palfrey in 1210 for the wardship and marriage of the heir of Walter de Carro' (*Baronage*, i. 739). Charles Brooke, Somerset Herald, has traced from 'Forne son of Siulf or Liulph to whom Ranulf de Meschines, lord of Cumberland of the gift of William the Conqueror, con-

father as an earlier owner and to make him 'the Saxon possessor of Greystoke.'¹ Forne's father is usually identified with Liolf, Liulf or Lyulph son of Edulf, the great Northumbrian thane, who was known as Liulf or Ligulf of Bebbanburch or Bamborough. A sober writer like the late Mr. Hodgson Hinde boldly suggested a mistake in the text when he found Symeon of Durham² alluding to Forne as the son of Sig', and to explain that 'this should be Lig' and not Sig'. Forno the son of Ligulf, Liolf or Lyulf was the grantee of the barony of Greystok in Cumberland.' In this interpretation of Symeon's text Hinde has had many imitators. Indeed so flamboyant is the antiquarian imagination at times that the father of Forne has played the part alternately of Ulf, or L'Ulf, the wolf, who is said to have given his name to the neighbouring lake of Ulleswater, and of Liulf the unfortunate minister of Walcher, the famous Bishop of Durham. When the Earl of Surrey built a summer house in the eighteenth century within the park of Greystoke on the shore of the lake, 'as a retreat from the noise and bustle of state to the enjoyments of rural ease and peace,' as the local chronicler³ of the period described it, he was but following the genealogical conceptions of his time when he called it 'Lyulph's Tower' in commemoration of his first ancestor in possession of the barony. It would not be consistent with the scope of this article to enter into competition with any of these theories on the identity of Forne's father,⁴ but it is desirable as a preliminary

ceded the barony of Creystoc' (*Archæologia*, vi. 41). John Denton, who was the source of the early pedigrees in the standard county histories of Cumberland, stated that 'the barony [of Greystoke] the earl Randolph Meschiens gave to one Lyolf or Lyulphe, and King Henry I. confirmed the same to Phorne the son of the Lyolph or Lyulph, whose posterity took the name of the place and were called de Graystok' (*Cumberland*, p. 112). Lord William Howard, the famous 'Belted Will' of Border History, writing in 1605, stated that 'the first possessors of that inheritance, which now we tearme the Greistockes possessions, mentioned in recordes, wear Sigulfus lord of Greistock and Ulfo of Grimthorpe, whose great-great-grandchilde, called Raph the sonne of William, about A° 12 Hen. III. marryed Johan, the daughter of Thomas of Greistock, whoe [was] lineally descended from the sayd Sigulfus' (*Household Books of Lord W. Howard*, p. 391, ed. Ornsby).

¹ *Memorials of the Howard Family*, app. xi. E, ed. Henry Howard.

² *Opera*, i. 116, Surtees Society.

³ Clarke, *Survey of the Lakes*, p. 27, ed. 1789.

⁴ If we assume that Siolf, father of Forne, is the same person as Liulf of Bamborough, a very interesting sequence of family history arises therefrom.

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to pin genealogists down to the form of the name as it is found in documents of unimpeachable authority. There is no trustworthy evidence of any kind that Siolf or Sigulf was ever the owner of Greystoke. It was Forne himself and not Siolf who was enfeoffed by Henry I. The jurors of the inquest of 1212 did not attempt to trace the baronial descent from an earlier source. Though it was not Ranulf Meschin who created the barony, as it is often assumed, there is no question that Forne was known to that distinguished personage while he held Carlisle, for as Forne son of Sigulf he attested the charter which Ranulf gave in foundation of the priory of Wetheral.¹ Forne son of Sig' was present at Durham in 1121 with a great concourse of the principal men, like Robert de Brys, Alan de Percy, Walter Espec, and Odard sheriff of Northumberland, and other great men of the northern counties, who had assembled there by chance at that time on certain business.² He was also in attendance on the court at Nottingham and as Forne son of Sigulf witnessed the charter whereby Henry I. enfeoffed William son of Ulf, ancestor of the house of Grimthorp, with Thorpe and other possessions in Yorkshire.³ Forne must have died in 1129 or 1130, for in the latter year Ives (Ivo)

In the first place Forne of Greystoke would be a brother of Odard, sheriff of Northumberland, who was a son of Liulph de Bebbanburch or Liulf son of Edulf (Raine, *North Durham*, app. nos. iv. xii. xiii). On the further assumption that Mr. Horace Round's theory is well grounded that Odard of Carlisle and Odard of Bamborough are identical, Liulf's family must have occupied a position of commanding importance in Cumberland at this early period. There is this to be said in favour of Mr. Round's identification that a certain Odard son of Liolfe is reputed on fairly respectable evidence to have been enfeoffed by Waldeve son of Earl Gospatric I. of a great lordship alongside that of Greystoke, and that Adam son of Liolfe was likewise put in possession of another tract of territory in the same neighbourhood by the same grantor. On the supposition that Liolfe in these instances was the magnate of Bamborough, his three sons had a large slice of central Cumberland in their possession. The conspicuous influence of Odard of Carlisle in early Cumbrian transactions would be accounted for in some measure by these family connections. But in no original document have we found Liulf of Bamborough recorded as Siolf or Siulf, and, *vice versa*, we have failed to meet with Siolf, father of Forne, in authentic evidences under the name of Liolf or Liulf.

¹ *Reg. of Wetherhal*, p. 5, ed. J. E. Prescott.

² *Symeon of Durham*, i. 116, ed. H. Hinde.

³ The original of this charter with the royal seal appendant was in existence, according to Brooke, in the time of Queen Elizabeth among the evidences of the Lords Dacre of the North, and a copy, which he printed in 1782, was in the College of Arms (*Archæologia*, vi. 49).

his son had seizin of his father's lands.¹ John of Hexham relates that both Forne and Ives were among the early benefactors of that monastery.²

Ives or Yves son of Forne, the second lord of Greystoke, with Agnes his wife and Walter her father made a grant of two homesteads (*mansiones*) in perpetual alms to the priory of Carlisle, which was afterwards confirmed by Ranulf son of Walter his grandson.³ He witnessed the charter whereby Chetell son of Eldred conferred the three churches of Morland, Bromfield and Workington on the abbey of St. Mary, York.⁴ Ives was still living in 1161, when he was credited with a remission of two marks by the sheriff of Northumberland by order of the Chancellor.⁵ He had a sister Eda or Edith about whose fair name a romance, not to say a scandal, has been woven by the historians. Leland stated that Edith Forne was a woman of fame and highly esteemed by Henry I., by whose procuration Robert d'Oilli wedded her,⁶ but Dugdale more bluntly described her as a beautiful woman and a royal concubine.⁷ John of Hexham⁸ seems to favour the untoward inference of the later writers. At all events by her subsequent conduct Edith endeavoured to atone for her early indiscretions.⁹

Ives son of Forne had four sons, Walter, Robert, Adam and William, neither of whom do we find from the local evidences in connection with the Cumberland barony. But it

¹ Forne appears to have held $3\frac{1}{2}$ knights' fees in Yorkshire (*Liber Rubens*, i. 434, ed. H. Hall; *Liber Niger*, i. 326, ed. Hearne), and Ives his son paid 100s. to the sheriff of that county in 1130 for livery of his father's land (*Pipe Roll*, p. 25, ed. Hunter). The earliest mention we have of Forne is when he witnessed King Alexander's foundation charter of the monastery of Scone in 1114 or 1115 in company with Gospatric brother of Dolfin and William the Aetheling of England (*Liber de Scon*, pp. 1-2, Bannatype Club; Dalrymple, *Scottish Collections*, 371-3).

² *The Priory of Hexham*, i. 59, Surtees Society.

³ *Monasticon*, vi. 144.

⁴ *Register of St. Bees* (Harleian MS. 434), f. 102b.

⁵ This statement is made on the authority of Hodgson Hinde, who was of opinion that Hugh son of Orn in the *Pipe Roll* of 7 Henry II. was a misnomer for Yves son of Forne (*History of Northumberland*, iii. pt. iii. 5, i. 281). But see *Pipe Roll* (Yorkshire), 9 Henry II., where the sheriff renders account of ten marks for Hugh son of Od'en.

⁶ *Itinerary*, ii. 17; *Monasticon*, vi. 251.

⁷ *Baronage*, i. 460; Lappenberg, *Norman Kings*, p. 348, ed. Thorpe.

⁸ *The Priory of Hexham*, i. 138.

⁹ *Monasticon*, v. 404, vi. 251.

is probable that Walter was in possession for a few years,¹ as he is said to have held the Yorkshire estates of the family from 1162 to 1165. Beatrice de Folketon, his wife, was a benefactress of the abbey of Rievaulx in Yorkshire,² to the endowment of which several of the family afterwards contributed. In 1165 Ranulf son of Walter was assessed to a 'donum' in the Pipe Roll of Northumberland. In the 'barons' certificates' of 1166 it is declared that Ranulf's ancestors held their fees from Henry I., and that Ranulf himself held $3\frac{1}{2}$ knights' fees, of which Ernald de Mondeville did the service of one knight.³ As Greystoke was held by cornage, the barony was not included in that return. Portions of the Cumberland barony were in litigation amongst Ives' immediate descendants while Ranulf son of Walter was in possession. A double suit lay in the king's court between members of this family in 1181. Henry son of Robert son of Ives obtained a writ against Ranulf son of Walter for certain woodland in dispute, and Robert son of Adam son of Ives was successful in a recognition of Hutton and its appurtenances against William son of William son of Ives.⁴ In 1185 the family troubles were not over, for Henry son of Robert was again in the king's court against Ranulf son of Walter about the advowson of the church of Dacre.⁵ It was this Ranulf son of Walter who gave a carucate of land in Stainton to the priory of Carlisle⁶ and lands in Yorkshire to the abbey of Rievaulx.⁷ William son of Ranulf was in possession in 1203 and paid £5 to the scutage of that year.⁸ He was returned in one of the inquisitions entered in the *Red Book of the Exchequer* as

¹ Mr. Henry Howard has printed abstracts of the charters of enfeoffment both of Ives son of Forne and Walter son of Ives by Henry I., taken from copies in the College of Arms made by St. George (*Memorials of the Howards*, app. v. E). Walter son of Ives paid one mark for scutage in 1162 to the sheriff of Northumberland (*Pipe Roll*, 8 Henry II.).

² *Chartulary of Rievaulx*, p. 117, ed. J. C. Atkinson.

³ *Liber Rubens*, i. 434; *Liber Niger*, i. 326.

⁴ *Pipe Roll* (Cumberland), 27 Henry II.

⁵ *Ibid.* 31 Henry II.

⁶ *Monasticon*, vi. 144.

⁷ According to Dodsworth, the name of Ranulf's wife was Amabel (*Chartulary of Rievaulx*, p. 49, ed. Atkinson). This agrees with the abstracts of St. George's MS. quoted by Mr. Howard, where it is stated that Ranulf son of Walter received Coniscliffe in dowry with Amabel, and that he gave Mikelton in free marriage with Alice his daughter (*Memorials of the Howards*, app. v. E).

⁸ *Pipe Roll*, 5 John.

holding two vills in demesne and two in homage at the annual cornage rent of £4, but he must have died in 1209, for Robert de (Veteri Ponte) Vipont [owed] 500 marks and 5 palfreys in 11 John for having custody of the land and heirs of William son of Ranulf until the said heirs were of age and for the marriage of the heirs, and also for the marriage of Helewise de Stutevill, widow of the said William, the first payment being due at Easter in the eleventh year.¹ The cornage rent of £4 remained the traditional tenure of the barony. In the roll of dames, girls and valets in the king's ward made in the early years of Henry III., the land of Helewise de Stutevill was valued at £30 a year. She had made fine with King John that she might marry whom she pleased.²

Thomas son of William son of Ranulf was still a minor in 1212, as he was then in ward of Robert de Vipont,³ whose daughter Mary he is said to have married, but he was in possession of 'Crestoc' in 1229.⁴ William son of Ranulf and Thomas son of William often appear as witnesses in local deeds in connection with the monastic houses of Carlisle, Lanercost and Wetheral. In 1244 Thomas son of William obtained a grant of a weekly market and a yearly fair at his manor Greystoke; in the charter for the market he is called Thomas son of William de Craystok, the first mention of the territorial name that has come to notice. Thomas son of William seems to have been the first of the family to adopt it.⁵

Robert de Greystoke succeeded his father, Thomas son of William, and did homage in 1247 for all the lands and tene-

¹ *Liber Rubeus*, ii. 493. The entry in the *Pipe Roll* (Cumberland), 11 John, has an important bearing on the date of this inquest. If the Cumberland inquest took place at any time between 1210 and 1212 according to Mr. Hall, or in June, 1212, according to Mr. Round, how comes it that the name of William son of Ranulf appears in it as holding Greystoke? This point needs exposition. In the great inquest of 1212, known as *Knights' Fees* ½, m. 2, of whose date there is no doubt, Robert de Vipont had custody of the land and heir of William son of Ranulf.

² *Victoria History of Cumberland*, i. 334, 420.

³ *Knights' Fees* ½, m. 2, in *Victoria History of Cumberland*, i. 421.

⁴ *Pat. Roll*, 13 Henry III. m. 2d.

⁵ *Charter Roll*, 29 Henry III. pt. 1. m. 1; *Placita de Quo Warranto*, p. 119, Record Commission. As Thomas son of William de Graistoc he witnessed a deed in the *Register of Wetherhal*, p. 238, ed. J. E. Prescott.

ments held in chief.¹ At the same time his father's executors had permission to make a free administration of his goods and chattels. Robert died in 1264 and Elene his widow paid a fine of £20 for liberty of marrying where she pleased within the kingdom.² A schedule of his possessions in Cumberland and Yorkshire, including the advowson of the church of Greystoke, is set out in the usual inquisition after death.³

William de Greystoke, brother and heir of the aforementioned Robert, did homage in 1264 for his brother's lands.⁴ With Mary his wife, sometimes called Margery or Margaret, eldest daughter and co-heir of Roger de Merlay, who was born⁵ about 1242, he obtained large possessions in Northumberland, including a moiety of the barony of Morpeth. At the assizes⁶ held in Newcastle in 1256, William impleaded Hugh de Bolebec for dowry settled upon Mary his wife on 6 February, 1253, at the door of the church of Morpeth, by her first husband, Walter de Bolebec, Hugh's son and heir. As the contracting parties had been under age at the time of Mary's first marriage, an agreement was effected out of court. In 1268 William did homage⁷ for his wife's possessions as the sister and co-heir of Alice de Merlay, lately deceased. With the moiety of the Merlay lands came several suits at law.⁸ William de Greystoke was summoned to perform military service⁹ against the Welsh in 1277 when he was represented

¹ *Fine Rolls*, ii. 14, ed. Roberts.

² *Ibid.* ii. 186 ; *Originalia*, i. 13*b*, Record Commission.

³ *Inq. p.m.* 38 Henry III. No. 42.

⁴ *Originalia*, i. 14*a*.

⁵ *Calendarium Genealogicum*, i. 132.

⁶ *Assize Rolls of Northumberland*, pp. 14, 55-6, ed. W. Page.

⁷ *Fine Rolls*, ii. 464, 467.

⁸ *Assize Rolls of Northumberland*, pp. 165-6 ; *Pat. Roll*, 3 Edw. I. m. 25 ; *Abbrev. Placit.* pp. 222*a*, 279, Record Commission.

⁹ *Parliamentary Writs*, i. 649, ed. Sir F. Palgrave. Into the vexed questions whether the owners of Greystoke were barons by tenure or by writ, and what was the origin of the distinction, the writer has no qualifications to enter. The whole subject has been discussed in the *Lords' Third Report on the Dignity of a Peer*, ii. 230-3, to which the reader may be referred. The earliest date in which we have found the dignity of baron applied to this family is the year 1275, when William de Greystoke is spoken of by a Yorkshire jury as baron of Greystoke (*Rotuli Hundredorum*, i. 104, Record Commission). It may be mentioned here that when the *Index Summonitionum* is quoted in this article, the alphabetical digest in the appendices of the *Reports from the Lords Committees touching the Dignity of a Peer of the Realm*, published in 1829, is meant.

by two knights for his own inheritance and two knights for that of his wife. In 1282 he was summoned to serve in person, and in 1289 he departed this life.¹

John de Greystoke, son and heir of William son of Thomas, deceased, did homage in 1289 at the age of twenty-five for all the lands his father held in chief on the day he died. This owner of the barony, who has been described as *vir strenuus sed corpulentus*,² appears among the nobles on the roll of Humfrey de Bohun, Earl of Essex and Constable of England, containing offers of service made at the muster of Carlisle on the eve of St. John the Baptist, 1300, for the army against Scotland.³ Lord John offered service due from two and a half knights' fees by Henry Redman, Adam de Colewell, Thomas le Tayllur, John le Mareschal, and Robert de Joneby with five horses fully equipped. In 1297 Dame Isabel his wife, from whom he had been separated, sued him for alimony in the ecclesiastical court of Carlisle, but as Lord John offered to restore her to his marital affection and society, her suit was unsuccessful.⁴ From 1291 till his death he served his country both in the council and in the camp, having been frequently summoned to parliament and to military service against the Scots during that period.⁵ The jurors of the inquisition taken after his death⁶ in 1306 declared that he had granted a reversion of his lands to Ralf son of William his kinsman. He had a brother William, who died without issue, and a sister Margaret de la Vale.⁷

On the death of John de Greystoke without issue, the representatives in blood of that family came to an end in the male line. The barony passed to the son of Joan de Greystoke, wife of William fitz Ralf, lord of Grimthorp.⁸ This was done by settlement in 1297 before the death of Lord John, who bequeathed his possessions *ultra hereditatem* to Ralf fitz

¹ *Inq. p.m.* 17 Edw. I. No. 15 ; *Originalia*, i. 61a, 61b.

² *Newminster Chartulary*, p. 282, ed. Fowler.

³ *Documents and Records*, pp. 209, 229, ed. Palgrave.

⁴ *Carlisle Epis. Registers*, MS. i. 126.

⁵ *Parliamentary Writs*, i. 648 ; *Index Summonitionum*.

⁶ *Inq. p.m.* 34 Edw. I. No. 40.

⁷ *Pat. Roll.* 32 Edw. I. m. 25. Lord William Howard adds Thomas and John as his uncles. This Thomas de Greystoke married Agnes, daughter of John de Lungevilers and widow of Thomas de Pennington (*Furness Coucher Book*, pp. 487-8, Chetham Society).

⁸ *Inq. p.m.* 34 Edw. I. No. 40 ; 35 Edw. I. No. 157.

William, his kinsman.¹ Certain portions of the estates were reserved to the heirs, if any, of his brother William, and failing these they were to revert to the heirs of his sister Margaret de la Vale. Before his succession to the Greystoke lands, Ralf fitz William had a distinguished career, many particulars of which are inscribed on the rolls of parliament.² In 1282 he married Margery widow of Nicholas Corbet and eldest daughter and co-heir of Hugh, baron of Bolebec,³ by whom he had two sons, William and Robert. He was present at the siege of Carlaverock in 1300 when he made a fine appearance in his surcoat of arms, the three chaplets of red roses becoming him marvellously.⁴ About the feast of All Saints, 1316, he died at a great age, and was buried at Nesham,⁵ his eldest son William having predeceased him.

Robert son of Ralf son of William succeeded his father, but did not long survive him, for he died in the following year. By the inquisition taken after his death, the jury returned that the barony of Greystoke having been much wasted by the Scots, had fallen in value from 200 marks to £62. To Elizabeth his wife was assigned a widow's dowry and Ralf their son was declared to be the real heir and nineteen years of age.⁶ Robert de Greystoke was buried at Butterwick,⁷ but Elizabeth survived till 1346.⁸

Ralf, lord of Greystoke, was a minor at his father's death, and did not receive livery of his lands till 1321, in which year he was summoned to parliament as Ralf de Craystok.⁹ He married Alice, daughter of Sir Hugh de Audley, and became one of the followers of the younger Sir Hugh in the 'pursuit' of the Despencers. The king was afraid of his coming under the influence of the Earl of Lancaster, and warned him against

¹ *Pat. Roll*, 25 Edw. I. pt. ii. m. 8; *Newminster Chartulary*, pp 286-91.

² *Rotuli Parliamentorum*, i. 216, 288, 304, etc.; *Parl. Writs*, i. 615, 616.

³ *Fine Roll*, 10 Edw. I. m. 17.

⁴ *Roll of Carlaverock*, p. 8, ed. T. Wright.

⁵ His monumental effigy is described by Surtees in *History of Durham*, iii. 260.

⁶ *Inq. p.m.* 10 Edw. II. No. 66; *Close Roll*, 17 Edw. II. m. 35.

⁷ *Newminster Chartulary*, p. 294.

⁸ *Inq. p.m.* 20 Edw. III. 1st nos. No. 52.

⁹ *Index Summonitionum*. Ralf appears to have been the first member of the Grimthorp line to assume the name of Greystoke. Though he changed his territorial name, he did not adopt the arms of the Greystoke house.

attending the meeting of 'good peers' at Doncaster in 1321. He was present at the battle of Borroughbridge where Lancaster was overthrown. His armorial bearings were inscribed on the roll¹ of that battle as 'burule dazur et dargent ove iii chapeletz de gul.' During his short life he was often summoned to parliament and to military service. At the siege of Mitford Castle in 1323 which Gilbert de Middleton was holding against the king, he was treacherously poisoned and buried before the high altar in the abbey of Newminster.² His widow was afterwards married to Ralf, Lord Neville of Raby.

The barony was placed in the custody of Thomas de Burgh by Edward II. and of Sir Hugh de Audley by Edward III., till William, the heir, a child of three years, came of age,³ which happened in 1342 when he had livery of his lands. Lord William was first married to Lucy daughter of the Lord Lucy of Cockermouth, whom he 'deservedly repudiated.'⁴ On the death of his divorced wife he married Joan, daughter of Henry fitz Hugh, lord of Ravensworth, by whom he had three sons, Ralf, William and Robert, and one daughter, Alice, who became the wife of Robert de Haryngton. He was a great favourite with the monks of Newminster, who described him as glorious in person and victorious in war. In 1354 he had licence to rebuild and crenellate his manor house of Greystoke and to surround it with a stone wall.⁵ About the same time he also built the tower of Morpeth. He died at Brancepath,⁶ the house of his mother, and was buried with great pomp and solemnity in Greystoke church in August, 1359. His obsequies were celebrated by Bishop Welton in person in presence of a large assemblage of local magnates, lay and ecclesiastical, including Ralf, Lord Nevill of Brancepath; Thomas, Lord Lucy of Cockermouth; Roger, Lord Clifford of Appleby; Sir Henry Lescropp and Sir Thomas de Musgrave, senior, knights; John, prior of Carlisle; Robert, abbot of Holmcultram;

¹ *Parliamentary Writs*, ii. 957, etc. ed. Palgrave.

² *Newminster Chartulary*, p. 294.

³ *Originalia*, i. 278*b*, ii. 17*b*, Record Commission; *Close Roll*, 16 Edw. III. pt. i. m. 21; *Baronage*, i. 741.

⁴ Hic primo duxit in uxorem Luciam filiam domini de Lucy, quæ digne ab eo spreta et mortua apud Nesham sepulta est (*Newminster Chartulary*, p. 294).

⁵ B.M. *Lansdowne Charter*, No. 122; *Pat. Roll*, 27 Edw. III. pt. ii. m. 8.

⁶ *Newminster Chartulary*, pp. 294-6.

Lambert, abbot of Shap; William de Rothbury, archdeacon of Carlisle; Thomas de Salkeld, rector of Clifton, and Richard de Aslacby, vicar of Stanwix. During the celebration of mass, at the time of the oblations, as the custom was, two helmets, two swords, two shields, two lances, two horses and two men fully accoutred, one for peace and one for war, together with a sum of money, were offered by the deceased baron's executors and received by the bishop. On the conclusion of the service, the venerable prelate reminded the nobles present that all the oblations were his by right and custom by reason of his personal celebration of the obsequies, but that he delivered them of his own free will to Joan, widow of the said Lord William, with the exception of the money which he distributed among the clerks of his chapel.¹ He is commemorated in Greystoke church by a blue marble tombstone with a brass plate and four shields on which he is described in French as the good baron of Greystoke, the most valiant, noble, and chivalrous knight of the country in his time.²

Ralf, Lord William's eldest son, a lad of six years, was committed to the custody of Roger Mortimer, Earl of March, till he came of age.³ He married Catherine, daughter of his neighbour Roger, Lord Clifford of Appleby Castle,⁴ and was a prominent figure in Border affairs, serving as warden of the West Marches and constable of Lochmaban, having been appointed to the latter post by Edward III. While he was on his way to take over the ward of Roxburgh Castle in 1382 he was made prisoner by the Scots and put to heavy ransom.⁵ Ralf, Baron Greystoke, was summoned to parliament from 49 Edward III. to 5 Henry V., in which latter year he died, his wife having predeceased him in 1413.⁶

¹ *Carlisle Epis. Reg.* MS. ii. 57.

² It is little wonder that the clergy of Greystoke should have their munificent patron commemorated in grand style, for it was Lord William who first set on foot the scheme for transforming the parish church into a college, consisting of a master and six chaplains. Bishop Welton gave his consent, but the scheme was not completed owing to the death of the patron. It was revived however in 1377 by Ralf, Lord Greystoke; and after much negotiation and controversy the college was formally founded in 1382 on the lines originally adumbrated by Lord William in 1358 (*Pat. Roll*, 1 Ric. II. pt. ii. m. 10; *Carlisle Epis. Reg.* MS. ii. 342-3).

³ *Inq. p.m.* 32 Edw. III. No. 43; *Baronage*, i. 741.

⁴ *Newminster Chartulary*, p. 296.

⁵ *Pat. Roll*, 6 Ric. II. pt. i. m. 11; *Ancient Petitions*, No. 4221.

⁶ *Newminster Chartulary*, p. 302; *Index Summonitionum*.

John, Baron Greystoke, succeeded his father in 1417. He was constituted warden of Roxburgh Castle from 22 March, 1420-1, for four years, at an annual fee of £1,000 in time of peace and £2,000 in time of war,¹ and was thenceforth mixed up in international treaties with Scotland. From 7 Henry V. to 13 Henry VI. he had summons to parliament.² His will, dated 10 July and proved 27 August, 1436, is still preserved in the Probate Registry of York. He bequeathed his body to be buried in the collegiate church of Greystoke, with his best horse, his habiliments of war, such as coat armour, pennons, gyron, etc., for the mortuary. Various bequests were made to Elizabeth his wife, who was a daughter of Sir Robert Ferrers and co-heiress of the barony of Wemme, and also to Thomas, Richard and William, his sons, to every gentleman, yeoman and groom in his service, to the repair of the abbey of Newminster and the church of Greystoke.³ Ralf, his eldest son and heir, was made the executor of his will. According to the menology of Newminster, John, Baron Greystoke, of pious memory, died on 8 August, 1436, and was buried at Greystoke, his wife having been buried in the church of the Friars Preachers at York.⁴

Ralf succeeded his father in 1436, and being of full age had livery of his lands in the same year. For his marriage in 1435 with his kinswoman Elizabeth, daughter of William, Lord fitz Hugh of Ravensworth, he had a special dispensation. The licence shows the affinity of the contracting parties.⁵ His eldest son Robert married Elizabeth daughter of Edmund Grey, afterwards Earl of Kent, both of whom died during the lifetime of Baron Ralf; Elizabeth on 18 July, 1472, and Robert on 17 June, 1483. Elizabeth, the only child of this marriage, became sole heiress to the Greystoke estates, and

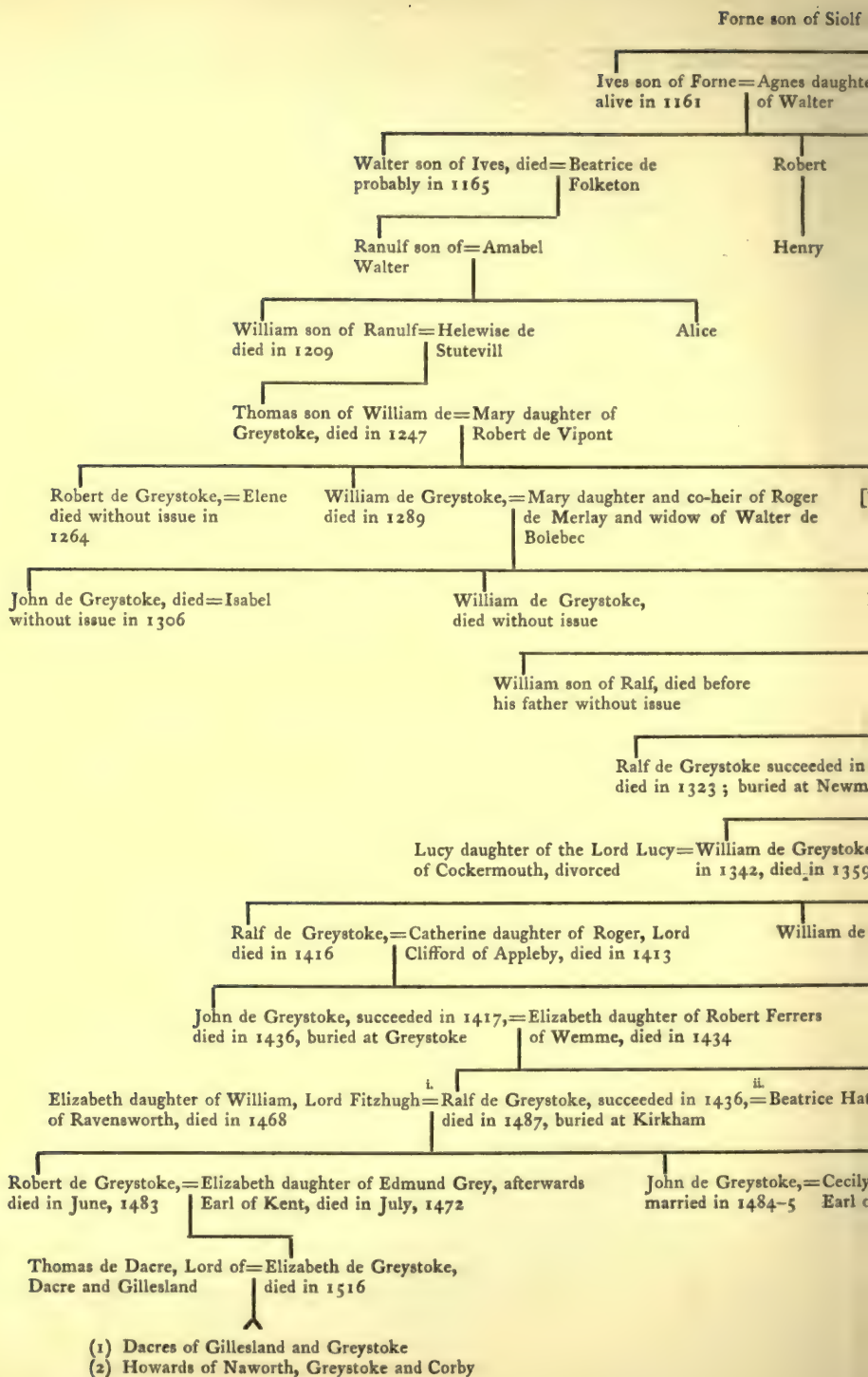
¹ *Close Roll*, 9 Hen. V. m. 19.

² *Index Summonitionum*.

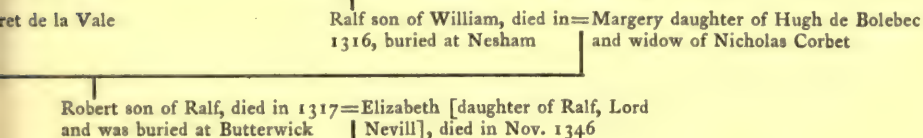
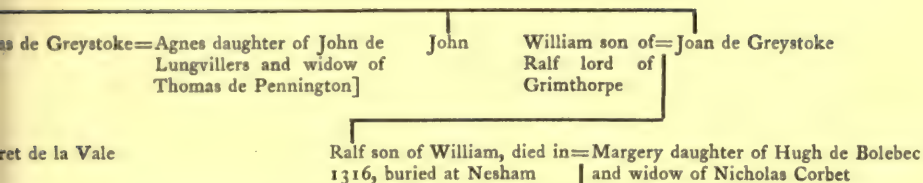
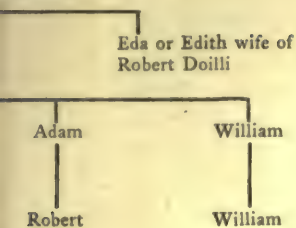
³ *Testamenta Vetusta*, pp. 230-1, ed. H. Nicolas.

⁴ *Newminster Chartulary*, p. 303; *Monasticon*, v. 401.

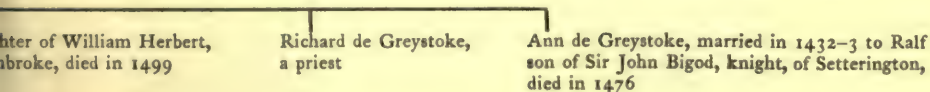
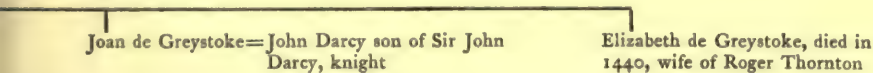
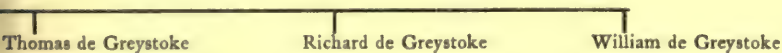
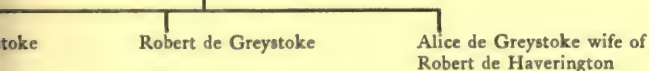
⁵ The depositions made on 22 November, 1434, show that Sir Henry Fitzhugh was the father of Henry and Joan Fitzhugh; Henry was the father of another Henry, and the grandfather of William, then Lord Fitzhugh, the father of Elizabeth one of the petitioners. On the other side it was shown that Joan daughter of Sir Henry Fitzhugh married William, Baron of Greystoke, the father of Ralf, the father of John, the father of Ralf the petitioner. On these depositions Pope Eugenius IV. granted the marriage licence on 1 July, 1435 (*Testamenta Eboracensia*, iii. 327-8, ed. J. Raine).



alf, died in 1129-30



good baron, succeeded=Joan daughter of Henry fitz Hugh, lord of Ravensworth
ied at Greystoke





was committed to the ward of Maud, Countess of Northumberland. John, one of his sons, made a splendid alliance with Cicely, daughter of William Herbert, Earl of Pembroke,¹ and another son, Richard, took holy orders and became a prebendary of Lincoln and succentor of York. The position of this great northern baron at the outbreak of the Wars of the Roses was both delicate and critical. William of Worcester tells us that he and Lord Fitzhugh were suspected of treachery to the Lancastrian cause and suffered many indignities on that account, but that they succeeded in clearing themselves.² After the battle of Towton however there was no doubt about the political sentiments of the Baron of Greystoke, for in November, 1461, Edward IV. nominated him on the commissions for Cumberland, Westmorland, Northumberland and Yorkshire, to array all the good men of these counties for defence against the king's enemies of Scotland, and Henry VI. and Margaret his wife and their adherents.³ He was frequently called to parliament, and was often employed in Scottish transactions. By his will, dated 27 May and proved on 30 July, 1487, he expressed a wish to be buried before the altar in the church of Kirkham, the patronage of which had been granted to him in 1468 by Edward IV.⁴ The chaplets of Greystoke still surmount the beautiful gateway of that priory. Beatrice Hatcliffe, his widow, married Robert Constable, sergeant-at-law, in 1490, but, again left a widow, she took the veil of chastity in 1501-2, and made her will in 1505.⁵

On the death of Ralf, Lord Greystoke, in 1487, the direct line of the house of Grimthorp came to an end, and the barony descended to his grand-daughter, Elizabeth de Greystoke, a girl of thirteen years. In true Border fashion the heiress was gallantly carried off in the night from Brougham Castle by Sir Thomas Dacre, the heir of a great northern house, as his ancestor, Ranulf de Dacre, had stolen Margaret

¹ *Testamenta Eboracensia*, iii. 349.

² *Wilhelmi Wyrcester Annales Rerum Anglic.* pp. 486, 498, ed. Hearne.

³ *Pat. Roll*, 1 Edw. IV. pt. ii. m. 12d. The commission for Westmorland included such men as Sir Thomas Parr and Sir Richard Musgrave with Thomas Middleton, William Parr, John Parr, and Richard Musgrave, while that for Cumberland included Sir John Hudleston, Thomas Lamplugh, Richard Salkeld, John Denton, John Skelton, Roland Vaux, and a Morisby.

⁴ *Ibid.* 8 Edw. IV. pt. ii. m. 16.

⁵ *Testamenta Eboracensia*, iv. 20-1, 195-7, 236-9 ; iii. 355, 363.

de Multon, the heiress of Gillesland, from Warwick Castle in 1317. As the family had acquired the extensive barony of Gillesland by the first elopement, Sir Thomas succeeded in joining the baronies of Gillesland and Greystoke by his marriage with the Lady Elizabeth. With no more valiant race and with no better blood could the heiress of Greystoke be united. The wild slogan of this warlike house, 'A Dacre ! A Dacre ! A rede bull ! A rede bull !' was the trumpet call to victory on many a hard fought field. After a few descents the family of the Lady Elizabeth was destined to end in co-heiresses. Lord Thomas Dacre had left three daughters ; the Duke of Norfolk, when he married the widow, had three sons. There was a family arrangement. Then it was that the Howards, splendid in their family alliances, as a writer in the *Quarterly Review* once described them, had gained a territorial settlement in Cumberland. The barony of Greystoke went with the Lady Ann Dacre to the Earl of Arundel and Surrey, from whom its present owner, Mr. Henry C. Howard, the popular chairman of the county council of Cumberland, is descended, and the barony of Gillesland was the portion of the Lady Elizabeth, who married Lord William Howard, the duke's third son, the hero of Border minstrelsy, whose noble descendant, the Earl of Carlisle, occupies the ancient seat of the Dacres at Naworth Castle, where the 'towers, unmodernized by tasteless art, remain still unsubdued by time.'

JAMES WILSON.

ENGLISH FORCES IN THE NETHER- LANDS, A.D. 1396

In the summer of the year 1396, Duke Albrecht of Bavaria, at that time Count of Haynaut, Holland and Zeeland, prepared a great expedition against the Frisians, a race in those days practically independent of the counts of Holland, notwithstanding that these bore the title of Lord ('Heer') of Friesland.

This expedition was the first of a long series that would be undertaken in the following ten years by the duke, and after him by his son and successor Count William VI., and which were destined to be once more taken in hand and finally brought to a successful close by the generals of Emperor Charles V.

The accounts of this undertaking of the year 1396 are of importance even with regard to English history, because of the auxiliary forces that were sent to the duke at his request by the King of England.

Two writers give particulars of the English troops and their leaders.

The first is Froissart ; in the thirteenth book of his famous *Chronicle* we find the following lines :—

'Le roy Richart, pour l'onneur de ses cousins de Haynnau avanchier, envia aucuns hommes d'armes accompaigniés de deux cens archiers Anglois, et en estoient chiefs et cappitaines trois chevalliers d'Angleterre, nommés l'un Cornuaille, le second Colleville, et du tiers n'ay-je pu savoir le nom, mais bien ay esté infourmé qu'il estoit vaillant homme de son corps et bien usé d'armes, de guerres et de batailles et avoit eu son menton coupé en une rèse (i.e. querelle) où il avoit ung petit par avant esté, et luy avoit depuis esté fait ung menton d'argent qui luy tenoit à une cordelette de soye par à l'entour de la teste.'

The Dutch chronicler Heda mentions them in a passage which I here translate from the Dutch :

'And (had as auxiliary forces) from England the Count of Staelgis and Monsier Corgewale, Monsier Colleville, Monsier Bitterlye and Monsier Moerleye, knights, with many men of noble birth and about five hundred archers.'

The Latin edition of Heda's book mentions only : 'ex Anglis comes de Stalgies et præfectus Cornugaliæ.'

Now there is a manuscript belonging to the same period in a Dutch private collection in which we find the coats of arms of some 150 Dutch, Belgian, French, German and English noblemen, who joined in this expedition, which, as we shall see presently, is also of great historic importance.

First of all let us examine the three 'chiefs et cappitaines.' The 'chevalier Cornuaille,' 'Corgewale' or 'præfectus Cornugaliæ' appears in the *Armorial* as 'Tan Cornuaelye,' bearing ermine a lion gules crowned gold with a border of sable bezanty, and therefore belongs to the Cornewall family. 'Colleville' or 'Collewile' is not mentioned in the *Armorial*, but I fancy we may conjecture that he was one of the Colvil family bearing 'silver a mill-rind cross of sable.' The third, whose name is unknown to Froissart, is perhaps the same as the Count of Staelgies, whom we find in the MS. as 'Sir Jehan de Scaelyon' bearing silver with a green lion. The family is unknown to me.

'Monsier Moerleye' is named 'Morley' in the MS., and his arms are silver a lion sable crowned gold with a label of gules, showing him to be a son of the great house of the Lords Morley.

'Monsier Bitterlye' is not mentioned in the MS.

As to the archers we find some of their names in the old 'rekeningen' (accounts) of the county of Holland.

I give the following passages translated from the Dutch :

two archers named Heynri Haf and John of Gywoert,

An English archer named 'Jan die Leedse,'

paid to Jan Parfay,

four archers named William Parkyer, Jan Sadelare, Ritzaert Ton and Nyclaes Herbot,

paid Robbert Holt for 19 archers,

paid Jan Parfay aforesaid for 18 archers,

paid to the following Englishmen : Talboom, the wild knight, Goedsken, Jan Cong, Ridsiaert Hampton and Williaem Halseldey.

That is all we know of their names.

It may be mentioned here that while the army was at Enkhuizen, from where they crossed the Zuiderzee to Friesland, a quarrel broke out between the English and the other soldiers, which resulted in the death of almost the whole force sent by King Richard before the war had practically begun.

H. G. A. OBREEN.

GIFFARD OF FONTHILL GIFFARD

WITH General Wrottesley's monograph on the ancient house of Giffard the *Ancestor* has already dealt.¹ The interest, however, attaching to the origin of the Giffards of Chillington—as a house which is still seated on the lands that its founder held by knight-service in the days of Henry II.—is so exceptional that I propose to consider further, in the present paper, the theory that it sprang from the Giffards, lords, indeed barons, of Fonthill Giffard in Domesday. General Wrottesley, himself, one may mention, a Giffard of Chillington on the mother's side, has adopted this theory of their origin, and has established, on record evidence, a strong presumption of its truth.

There is, however, I venture to think, a point on which he has gone astray, and on which the correction of his misconception will enable us to throw some fresh light on Wiltshire county history.

General Wrottesley has shown that Fonthill—or rather Fonthill Giffard, chiefly known as the site, subsequently, of Beckford's famous palace—was the *caput* of a little 'barony'—for a 'barony' it was, as being held in chief, though the service which it owed the Crown was only that of a single knight—and that this barony, after the death of Robert Giffard in the days of John, was divided among four (eventually three) co-heirs, of whom Robert de Mandeville was the eldest. He further observes (p. 10) that 'the Wilts Pipe Roll of 11 John (1209) states that Robert de Mandeville then owed 50 marks² for the lands of which Robert Giffard had been seised when he died,' and that—

the Oxfordshire Pipe Roll of the same date states that Robert Mauduit owed 20 marks for his purparty of the lands which formerly belonged to Robert, to be held of Robert Mandeville as the eldest co-heir.

These statements are obviously taken from the *Red Book*

¹ *Ancestor*, iii. 223–8.

² This should be 60 marks (i.e. £40). This sum was wandering about (*peregrinabantur*) on the rolls till 18 Hen. III., when it was charged under Dorset and Somerset, where Robert's own barony lay (*Red Book of the Exchequer*, pp. 769–70).

of the *Exchequer* (pp. 769–71), in which are found some stray extracts from the Pipe Rolls relating to this barony. But General Wrottesley has been careful to assign them their right date, the editorial dates of Mr. Hubert Hall in the *Red Book* margin being a year wrong owing to the editor's confusion of the regnal with the financial year (pp. 768–71).¹

The four co-heirs in John's reign were Robert de Mandeville,² Robert Mauduit, William Cumin and Robert de Fontibus, but the last of these is not heard of again.³ I cannot quite agree with General Wrottesley that 'the division of Gerard's lands among so many co-heirs extinguished the barony, and it disappears altogether from the records after the death of Robert Giffard in the reign of King John' (p. 12). For Robert de Mandeville is returned as holding 'j feodum in Funtel' in 1212,⁴ that is to say, the whole barony of Fonthill, and in the roll of the thirteenth year of John (1211) the three co-heirs account jointly 'de feodo j militis quod (fuit) Gerardi Giffard,'⁵ the whole two marcs due being remitted to the eldest, Robert de Mandeville. Again, in 1232 (?) we find the two junior co-heirs charged respectively for one third of a knight's fee each to the scutage of Elvain, with the significant addition—

Sed Robertus de Mandeville debet eos acquietare, quia Robertus Maudut debet tenere feodum illud de eodem Roberto de Mandeville, sicut continetur in rotulo xj Regis Johannis in Oxonefordsira. Et Willelmus Comin debet tenere feodum illud de eodem Roberto de Mandeville, sicut continetur in rotulo xij Regis Johannis in Wiltesira.⁶

The former of the two entries referred to is given on the opposite page, where we read :—

Robertus Mauduit xx m. pro habenda parte sua de terris et tenementis quæ fuerunt Roberti Giffard *tenenda de Roberto de Mandeville tanquam de primogenito particeps suo, salva eidem Roberto esnevia sua.*

¹ It has been recently pointed out by Miss Norgate, independently, in her *John Lackland* (p. 123), that 'the marginal dates added in that edition are wrong throughout John's reign,' so that all his scutages are misdated. Such is the result of what is now termed 'Advanced Historical Teaching.'

² He can be identified as Mandeville of Marshwood (Dorset).

³ I refer to the records here dealt with, but an important entry in the *Testa* (p. 152) records that 'Johannes de Cantilupo heres Roberti Maudut et heres Willelmi de Fontibus tenent feodum unius militis in Funtel de Galfrido de Mandeville et ipse de domino Rege.'

⁴ *Red Book of the Exchequer*, p. 481.

⁵ *Ibid.* pp. 153, 770.

⁶ *Ibid.* p. 770.

I have dwelt on this in some detail because it brings us face to face with an interesting point in feudal law, namely that doctrine of *esneia* (*ânesse*) which was raised so recently as last year when it formed the foundation of Lord Ancaster's claim, as the senior co-heir, to be solely entitled to the dignity of Lord Great Chamberlain. Among the statements in support of its validity made in his printed Case we find Glanvill cited as stating that 'If a fief fell to daughters, homage was done by the husband of the eldest daughter only' (p. 13).

I had, however, in a Memorandum which I was asked to prepare upon the point, to call attention to the fact that the law was even then uncertain, or, rather, undergoing change. In their sections on 'Co-heirs and parage' and 'Fluctuations in the law as to parage,' Messrs. Pollock and Maitland discuss the subject in some detail¹ :—

But though the division among the co-heiresses was in general a strictly equal division, we see the eldest daughter or her husband standing out as the representative of the whole inheritance for certain purposes.

Robert de Mandeville did so, we have seen, in the case of the Fonthill barony. After explaining this 'old theory' as 'the Norman tenure in parage,' by which the eldest sister holds as the 'only tenant' . . . 'the whole inheritance' . . . 'while her sisters hold their shares of her,' the learned authors pass to the time when—

the law is beginning to fluctuate. In 1236 the English in Ireland sent to Westminster for an exposition of the law. Of whom do the younger sisters hold? The answering writ, which has sometimes been dignified by the title *Statutum Hiberniæ de Coheredibus*, said that if the dead man held in chief of the king then all the co-heirs hold in chief of the king and must do him homage. If the lands were held of a mesne lord, then that lord has the marriages and wardships of all the parceners, but only the eldest is to do homage, and her younger sisters are to do their services through her hands. The eldest daughter, the writ says, is not to have the marriage and wardships of her sisters, for this would be to commit the lambs to the wolf.

It is interesting to remark that although the king, the authors observe, had habitually taken the homage of all the parceners for some time before 1236, yet the younger co-heirs of the Fonthill barony were still holding of the eldest about this time. But even the tenants-in-chief, we read, 'followed the king's example and exacted homage from all the sisters,' so that 'very soon, if we are not mistaken, the old law of parage began to fall into utter oblivion.'² The Committee for

¹ *History of English Law*, ii. 274–6.

² *Ibid.* p. 276.

Privileges of the House of Lords soon dismissed the doctrine of *esneia*, as obsolete from an early date, in Lord Ancaster's case.¹

We will now consider another and a more interesting term in feudal phraseology. A *vavassoria* was the holding, one may presume, of a *vavassor*. But what was a *vavassor*? General Wrottesley writes thus :—

The Close Roll of 4 Hen. III. [1220] has the following writ—‘Whereas Andrew Giffard, who held the Barony of Fontil by hereditary right, was dead, and had resigned the Barony *temp.* King John, with the King's assent, to Robert de Mandeville, Robert Mauduit, William Cumin, and William de Fontibus, as right heirs of the Barony, retaining in his own hands the *vavassoria* of the Barony, and (*sic*) which were held of the Honor of Clare, the said *vavassoria* were now to be delivered to Robert de Mandeville and the other heirs above named.’

The *vavassoria* were the tenures by Castle Guard at the Earl's castle of Chepstow or Strigul (p. 10).

* * * * *

It will be remembered that part of the Fonthill fief consisted of *vavassoria* or tenures by castle guard at the Castle of Strigul (now Chepstow), the *caput* of the Barony of Clare.

The service of castle guard was usually performed by the younger sons of the military tenants of the barony. It was an honourable office, which could be filled without the great outlay in arms and horses entailed by the service of a knight. It requires therefore no great stretch of imagination to conceive Peter Giffard,² a cadet of the house of Fonthill, performing this service at Strigul, and in this way becoming enlisted in the expedition which sailed from that point to Ireland . . . in 1170 (p. 85).

There has been expended on the word *vavassor* a fair amount of learning, but neither in the glossary of Ducange, nor in Godefroy's valuable work, nor in any other book known to me, is there anything to support the view that it denoted castle-guard. General Wrottesley, I believe, relies on an early return of the services due to the see of Bayeux³; but, although the word *vavassorias* occurs once in this, there is nothing to throw any light at all on its meaning. Moreover it is immediately preceded by the return of the knights of Normandy, under Henry II.,⁴ in which there is frequent mention of castle-guard, but always as performed by knights

¹ Compare the *Ancestor*, i. 252-3 for the application of this doctrine to serjeanty.

² Founder of the house of Chillington.

³ See *Red Book of the Exchequer*, pp. 645-7, and other versions.

⁴ *Ibid.* pp. 624-45.

(*milites*).¹ Conversely, there is in this list mention of *vavasores*, but not as owing castle-guard.² The true meaning of the word *vavassor* must be sought, I think, from those to whom it had recently had a living meaning. Thus in a French glossary about a century old we find 'Vavas seur' defined as 'Arrière-vassal . . . ne possédant qu'un fief, . . . qui relevoit d'un autre fief' and 'Vavassorie' as 'Arrière fief.'³ And rare although the word is in our own records, I have never doubted that its real meaning was that of 'under-tenant.' The *vavassores* of the Archbishop of York and of Robert Fossard are mentioned, under Yorkshire, on the Pipe Roll of 1130; but the best illustration of its use is found in the writ of Henry I. regarding the local courts, a document familiar to students of our institutional history. In it we read—

Et si amodo exurgat placitum de divisione terrarum vel de occupatione, si est inter dominicos *barones*⁴ meos, tractetur placitum in curia mea. Et si est inter *vavasores* alicujus baronis mei honoris, tractetur placitum in curia domini eorum. Et si est inter *vavasores* duorum dominorum tractetur in comitatu.

It is clear that, in this document, *barones* are the tenants-in-chief and *vavasores* their under-tenants, who are more frequently termed *milites* (as in the 'Cartæ baronum' of 1166). Under-tenants had often, of course, to take their turn of guard at their lord's castle, but the word *vavassor* in itself has no more than *miles* has to do with castle-guard.

My friend Professor Adams of Yale, who has recently discussed the above document,⁵ cites in illustration 'the Constitution of Conrad II. of 1037,' in which we read: 'Hoc autem de majoribus wlvassoribus observetur. De minoribus vero in regno aut ante seniores aut ante nostrum missum eorum causa finiatur.' This extract may serve to remind us that, exactly as

¹ For instance: 'xvj milites de honore de Vernone ad custodiam castri de Vernone' (ibid. p. 630); 'iiij partes militis ad custodiam castri de Gaurei,' . . . 'j militem ad custodiam ejusdem castri,' . . . 'quartam partem ad custodiam ejusdem castri,' etc., etc. (p. 634). So too, in England, 'Hii omnes prædicti faciunt gardam castelli de Hastings in quolibet mense per xv milites' (p. 623).

² Castle-guard may have been performed by 'vavassores' as well as by 'milites,' but my point is that *vavassoria* does not mean 'tenure by castle-guard.'

³ *Glossaire de la langue Romane*, ii. 690.

⁴ The italics are mine.

⁵ *American Historical Review*, April, 1903. I have followed his text.

with' *baro*, *vavassor* could be loosely used in more senses than one. As the tenant-in-chief, if a great lord, sometimes spoke even of his under-tenants as 'barones,' so might even tenants-in-chief be spoken of as 'maiores vavassores' in relation to their sovereign lord. In short, a *vavassor* was a vassal, either great or small, but, in a specialized sense, the vassal of a tenant-in-chief.¹

Let us now apply my conclusion to the case of the Giffards of Fonthill, and of their 'vavassoria' held of 'the Honour of Clare.' My contention is that—

- (1) *Vavassoria* does not mean 'tenure by castle-guard.'
- (2) Even if it did, that guard could not be due 'at the castle of Strigul (now Chepstow) the caput of the Barony of Clare,' because that castle had nothing to do with 'the Honour of Clare,' of which the *caput* was the mighty moated mound of that name on the border of Essex and Suffolk.
- (3) The 'vavassoria' held of 'the Honour of Clare' can be identified, and can be shown to have been held by the 'Andrew Giffard' of the Close Roll.

That Gerard Giffard, the baron of Fonthill, was an under-tenant of the Honour of Clare in 1166 is proved by the *carta* of the earl, under Suffolk, in the *Red Book of the Exchequer* (p. 404), where we read: 'Gerardus Giffard 1 militem.' But as this important entry is omitted in the index to that unfortunate work, it might well be overlooked. We have now to discover the whereabouts of this knight's fee, which was clearly of the old feoffment. Where, as in the case of the Giffards and the Clares, two of the most illustrious houses of the old Norman nobility,² the pedigree goes back to the Conquest, one naturally turns to Domesday to see if one can find Giffard of Fonthill holding anywhere under Clare. The surname of an under-tenant is rarely entered in the Survey, but, luckily for us the Christian name of Berenger is, in it, a rare one. And we find a 'Berenger' holding of the then lord of Clare a manor

¹ Compare the learned and interesting note on *vavassor* in Pollock and Maitland's *History of English Law* (1895), i. 532, where the denotation and etymology of the word are left somewhat uncertain. Genealogists will not need to be reminded of the surname *Vavasour*, originating probably in a nickname, the existence of which tends to confirm the rarity of the word, as the name of a class, in England.

² See *Feudal England*, p. 469, and add: 'et quocunque nobilium conventus se ageret illorum pompa terribili multitudine ferebatur.'

of 'Sutton' in Wilts. Now in Wilts there are two Suttons, which lie, as the crow flies, some thirty miles apart, one in the north-west, and the other in the south-west of the county; the former is Sutton Benger, the latter Sutton Mandeville. As Mr. Jones observed, in his work on the Wiltshire Domesday, it would, at first sight, be supposed that the former preserved the name of 'Berenger,' the Domesday under-tenant, and yet it was the latter Sutton which is found, in after times, held of the Honour of Clare. And indeed we find it so held by a Geoffrey de Mandeville in the *Testa*. Now Sutton Mandeville lies close to Fonthill Giffard; the two villages are less than four miles apart. It is common enough to find, in Domesday, two neighbouring estates held by the same man, the one as an under-tenant, the other as a tenant-in-chief.¹

But we have yet to connect the Giffards with Sutton Mandeville. This Sutton can be shown to have been held by the Mandevilles of Marshwood, who, as we have seen, were the senior co-heirs of Giffard of Fonthill.² The evidence cited in Dugdale's *Baronage* (i. 206) shows them in possession, Geoffrey, who had held it, we saw, of the Clares, selling it 'unto Dru de Barentine, to acquit him of his debts to the Jews.' But the newest and most interesting evidence is that which shows us Andrew Giffard making a grant out of Sutton. This consists of Ancient Deed A. 8529.

Grant in pure alms by Andrew Giffard, with his body, to the church of St. Mary of Stanley and the monks there, of the land with a messuage in Sutton, which William Blund held of him . . . also grant to the same monks that they may have for ever six oxen and three cows, quit of herbage, in his pasture, together with his demesne oxen, etc. etc.

Witnesses: Hugh de Temple, canon of Salisbury, Stephen, parson of the church of Tysseb[eri], Thomas de Sutton, Thomas de Dunton, chaplains, John the deacon, Master Thomas of Salisbury, William de Haselden, *Peter Giffard*, etc. etc.³

Mr. Maskelyne, the editor of the Calendar, who has a great mastery of topography, and of Wiltshire topography in particular, does not venture to tell us to which of the Suttons

¹ See, for instance, *Feudal England*, p. 222.

² See p. 122 above. General Wrottesley asserts (*The Giffards*, p. 202, note) that 'the younger branch of the Mandevilles (the Barons Fitz John), who represented the Giffards of Fonthill, bore the ancient arms of Mandeville' (of Essex). But this is a misconception. The representatives of the Fonthill Giffards were the totally distinct line of Mandeville of Dorset.

³ *Catalogue of Ancient Deeds*, i. 322.

this document belongs ; but the fact that Tisbury, the parson of which appears as the second witness, is the parish adjoining Fonthill Giffard and Sutton Mandeville, and that William de Haselden derived his name, doubtless, from Hazleton in Tisbury, practically settles the matter, while the genealogical argument above removes all question.

Let me now briefly recapitulate the results at which we have arrived. We have seen that the Wiltshire Sutton held by the Clares in Domesday was clearly Sutton Mandeville ; that 'Berenger,' its under-tenant, was Berenger Giffard of Fonthill (Giffard) ; that it continued to be held of the Clares by his descendants down to the time of Andrew ; and that on Andrew's death, under Henry III., it passed to the Mandevilles of Marshwood, as senior co-heirs of the Giffards, and derived from them its name of Sutton Mandeville.¹

I italicized the name of Peter Giffard among those of the witnesses to Andrew's charter because he would probably be claimed as Peter the second of Chillington, in which case his appearance in the deed would be further and important evidence of a connection between the Chillington house and the Giffards of Fonthill Giffard.² Independent evidence in its favour has been found by General Wrottesley in the well-known 'stirrups' coat of the Chillington house, which distinctive bearing, he suggests, may be derived from 'the Scudamores of Upton and Fifield, co. Wilts' (p. 85). If we would follow up this clue, we must ascertain the position of the Scudamores in that county. General Wrottesley proceeds to state that—

The feodary of 1166, which is known as the 'Liber Niger,'³ records under Wiltshire that Godfrey de Scudamore held at that date four knights' fees, and that one of these was held by Walter Giffard 'of old feoffment.' . . . I think it probable that Peter Giffard was either son or brother of this Walter (p. 85).

Walter's name is given (whether rightly or wrongly) in the

¹ By a fine of Easter, 4 Edw. I. John de Mandeville, son of John de Mandeville, granted to Simon de Monte alto and Clemencia his wife a rent 'in the manor of Merswode in co. Dorset,' and the manor and advowson of 'Sutton Mandeville, co. Wilts' (*Somerset Fines*, ed. Somerset Record Society, p. 388).

² The date of the Sutton charter would be 1209-20. General Wrottesley has printed (*The Giffards*, p. 214) the charter by which Richard, Bishop of Coventry, confirms the grant of Chillington to Peter Giffard the first, and to which 'Andreas Giffard clericus' is a witness. But this was a good deal earlier in date (1175-81).

³ This is a misapprehension.

Red Book of the Exchequer (p. 245) as 'Waleram'; but the point I desire to bring out is the peculiar status of the Scudamore fees. Under Wiltshire Godfrey de Scudamore is returned as holding of Robert 'de Weias' four fees 'of the old feoffment' and one 'of the new';¹ and one of the former fees is held of him by 'Waleram' (not Walter) Giffard. But a note is added showing that the fees had been the subject of a suit.² Under Herefordshire Godfrey 'Escudor' is entered as holding of Robert de 'Eweias' four fees 'of the old feoffment' only.³ Some light is thrown on the matter by the entry, under Wiltshire, on the Pipe Roll of 1168, recording Godfrey's payment for five fees.

Godefridus de Scudemor reddit compotum de v marcis de eodem auxilio pro v militibus, quæ ideo redduntur quia Robertus Dewias nondum voluit recipere homagium suum' (p. 160).

The fifth fee (of the new feoffment) cannot be traced in the *carta* of Robert of Ewyas (Harold) unless it is that of Godfrey de 'Tifente.' But the Scudamores seem to have had nothing to do with Teffont (Ewias); their fees were in Upton Scudamore and Norton Scudamore (now Norton Bavant) with a fifth in Fifield-Bavant. In any case, the evidence for connecting the Giffards of Chillington's stirrups with the Scudamore coat appears to me slender.⁴

One does not like to criticize the merry and ingenious Planché, who held that the motto of the Giffards of Chillington, 'Prenez haleine et tirez fort,' addressed to an archer, connects their stirrups with the cross-bow or arbalest, 'which had what is called a stirrup at the end of the stock, into which the foot was put in stretching it'; but the interesting 'standard' which General Wrottesley has elsewhere repro-

¹ *Liber Rubens*, p. 245.

² *Ibid.*

³ *Ibid.* p. 286.

⁴ Both the name and the coat of Scudamore require investigation. In the Duchess of Cleveland's *Battle Abbey Roll* we read of the name's 'sacred significance as a contraction of Escu d'Amour, the shield of Divine Love,' represented on their arms originally by a 'cross patée fitchée, or.' Guillym has some engaging nonsense on the subject, but the stirrups of Scudamore can be traced back, at any rate, to the days of Edward I. One cannot, however, detect in them a 'canting' device of any kind upon the name, and indeed it is difficult to say how the name arose. It occurs as 'de Escudemore' on the Roll of the Norman Exchequer in 1180, but the 'de' is often omitted and soon drops out, nor has any place of the name hitherto, I believe, been identified.

duced,¹ proves that their archer used the long-bow, not the cross-bow. General Wrottesley is now disposed to connect this device, subsequently used by the family as a second crest, with the prowess of Sir John Giffard, the grantee of the 'standard,' as an archer.²

While on the subject of Giffard heraldry one should say something of the coat borne by Lord Gifford: 'Azure, a chevron between 3 stirrups with leathers, or, within a bordure engrailed argent, semée of pellets.' This it will be seen is the Chillington coat differenced by the bordure and the chevron in the usual modern style. General Wrottesley observes of it (under Giffard of East Ginge, Dorset, and Burton, Wilts) that—

When Robert Gifford of Exeter was created Baron Gifford of St. Leonard's, co. Devon, in 1824, he claimed to descend from this family, and the Heralds granted him their arms; but the descent has not been proved, and . . . it is far more likely that they descend from the Giffards of Halsbury or the Giffards of Yeo (p. 78).

No coats or crests could be more radically different than those of the Devon and of the Staffordshire Giffards. So the plea that the new peer's coat was merely based on that of his 'name' will not here avail. By granting him the Chillington coat differenced and the Chillington crest of the panther's head slightly differenced, the Heralds obviously recorded their belief that he sprang not from the Devonshire, but from the Staffordshire house.³ And what grounds had they for that belief?

As Lord Halsbury's pedigree in *Burke's Peerage* is still headed by the statement that the name of Giffard 'signifies *The Liberal*,' it may be well to set beyond doubt its real meaning. In Godefroy's great *Dictionnaire de l'ancienne langue Française* (1885) we read that 'Gifart,' 'Gifard,' or 'Giffard,'

¹ In vol. iii. of the William Salt Arch. Soc.'s *Collections*.

² See *Genealogist* (new ser.) xix. 7-8. I feel, however, some difficulty in accepting this view, for the 'standard' was assigned to him by the Heralds, 12 July, 1523, as representing the 'devises et cognoyssances' of his 'prédécesseurs.'

³ Nothing can alter the fact that the 'stirrups' were the old and distinctive bearing of the Giffards of Chillington, who were, naturally, by no means pleased at the coat assigned to Lord Gifford. The family from which he claimed to descend had, it is true, been assigned that coat, 'differenced with a border,' at the Wiltshire visitation of 1565, according to General Wrottesley, but, apparently, by no right of descent.

means 'joufflu,' that 'Gifarde' is 'servante de cuisine joufflue,' while as 'Giffard' it was 'nom d'une famille célèbre de Normandie.' 'Joufflu' is defined in Littré's Dictionary as describing a man who has big or fat cheeks ('qui a de grosses joues'). The expression 'ce petit joufflu-là,' cited by Littré, shows how easily the peculiarity might give rise to a nickname. This, of course, is nothing new; in her work on *The Battle Abbey Roll* (1889), the Duchess of Cleveland collected the evidence of Métivier's *Dictionnaire Franco-Normand*, Ducange's work, and Roquefort's *Dictionnaire de la langue Romane*, who agree that 'Gifarde' meant the 'fat-cheeked' scullery wench. The thought of such a derivation shocked her, indeed, to incredulity, because she forgot, or did not know, how deplorably rude the Normans were, in the matter of surnames, to one another. But she admitted that 'the reading of *Liberal* or *Free-Giver* seems merely to rest on an atrocious mis-spelling of Giffard, and is inadmissible from its being English—a tongue wholly unknown to the Normans.'

J. HORACE ROUND.

WHAT IS BELIEVED

Under this heading the Ancestor will call the attention of press and public to much curious lore concerning genealogy, heraldry and the like with which our magazines, our reviews and newspapers from time to time delight us. It is a sign of awakening interest in such matters that the subjects with which the Ancestor sets itself to deal are becoming less and less the sealed garden of a few workers. But upon what strange food the growing appetite for popular archæology must feed will be shown in the columns before us. Our press, the best-informed and the most widely sympathetic in the world, which watches its record of science, art and literature with a jealous eye, still permits itself, in this little corner of things, to be victimized by the most recklessly furnished information, and it would seem that no story is too wildly improbable to find the widest currency. It is no criticism for attacking's sake that we shall offer, and we have but to beg the distinguished journals from which we shall draw our texts for comment to take in good part what is offered in good faith and good humour.

THE practised interviewer who would invade the domestic quiet of a Celebrity at Home does not seek the Celebrity under his fig-tree or his vine. In nine cases out of ten the Celebrity is sought and found in his favourite seat under the spreading boughs of his family tree; and in a remarkable number of instances the first vedette of questions brings back information concerning the 'Norman' or 'Saxon' descent of the Celebrity at Home.

Sir Oswald Mosley, a Celebrity lately found at Home at Rolleston Hall, represents a family practically founded by a Nicholas Mosley, who became Lord Mayor of London in 1599. A pedigree even of this length is one which, as things go, many, perhaps most, baronets might have cause to envy. But for a 'Celebrity at Home' it is impossibly short. Accordingly in a recent article on Rolleston and its owner we find the pedigree carried back to a 'Saxon' distinguished from the rest of his race by a most un-Saxon name.

About four miles from Wolverhampton lies the secluded hamlet of Moseley . . . Its name is found in Domesday as 'Moleslei' . . . Previous to the reign of King John the manor had fallen into the hands of one Ernald, a Saxon (*sic*), who lived at Moseley, and, according to the custom of the time, derived his surname from his place of residence. He had two sons, the elder of whom died without male issue. . . . The second son of Ernald de Moseley, named Oswald or (*sic*) Osbert, left several children, who migrated into the counties of York and Lancaster, Richard de Moseley being governor of the castles of Wakefield Sandal and Conisborough in the reign of Edward the Second, and for the next two centuries the Moseleys occupied a prominent position in the North of England, one of them purchasing a place called Hough End, near Manchester, which is still in existence. Here three or four generations continued to live, and the fortunes of the family may be said to have been established when Nicholas and Antony, the younger sons of Edward Moseley, of Hough End, entered the woollen trade.

Now only last year as it happens there was printed for the Chetham Society a complete and accurate account of the Mosley family, an account of considerable genealogical and heraldic interest. From this we learn that 'the Mosleys of Manchester,' Sir Oswald's ancestors, were 'according to family tradition descended from the Moseleys of Moseley in Staffordshire'; but that 'this descent has never been proved and is probably unprovable.' The earliest known ancestors of the family are Jenkin and James Mosley, living at Hough End towards the close of the fifteenth century; and even the existence of Jenkin and James is known to us only from their mention in a 'confirmation' of arms to Sir Nicholas, the London Alderman, in 1592. The one thing certain about them is that 'they were not owners of Hough.'

* * *

The first documentary evidence, however, we learn begins only with Edward Mosley, who appears on a Manchester subsidy roll of 1541, and whose son and heir, Oswald, did suit and service in the Court Leet of Manchester for a tenement in 1571. In *Burke's Peerage* the pedigree begins with this Edward, though he is there alleged to have descended *per saltum* 'from Oswald 2nd son of Ernald de Moseley, Lord of Moseley, co. Stafford, *temp.* King John.' The actual descent of the present line is through Edward's son Anthony, a Manchester clothier, who died in 1607, and who 'was not the owner of Ancoats as he is said in most of the pedigrees to have been.'

* * *

The most significant part of the story has yet to be told.

We learn from the same excellent treatise that the arms 'confirmed' to Sir Nicholas Moseley in 1592 were 'sables a chevron between three battle-axes silver.' Without doubt these arms are founded upon those borne by the Moseleys of Staffordshire (from whom, to repeat our antiquary's words, a descent has never been proved and is probably unprovable); for Moseley of Staffordshire bore the like with silver mill-picks for silver battleaxes. Official armory has seized upon a further occasion for asserting its famous principle that a shield is not so much a belonging of a single family as of the sound represented by its surname. By this rule Mosley of Lancashire has indeed a right to a version of the arms of Moseley of Staffordshire, but the right of other houses must be respected, and the shield of Mawdsley of Mawdsley, 'an old family of minor gentry' in Lancashire, also carries chevron and pick-axes, because the Lancashire village of Mawdsley sounds rather like the Staffordshire village of Moseley. When we regard these things we see that, had the heralds of the sixteenth century but started untrammelled by what one of their champions styles in magnificent contempt the 'mere archaic survivals' of the middle ages, we should doubtless enjoy a simplified armory with one shield of arms to be shared amongst all families whose names begin with an M. For the beginning with an M and the ending with a Y is surely all that Moseley of Staffordshire and Mawdsley and Mosley of Lancashire can have in common.

* * *

The London sale-rooms have lately been enlivened by a piece of household furniture which surely deserves a place in this column as well as ever a conquest legend or novelist's fancy. We quote from the *Collector's Circular*, a newly-born weekly journal, affording its readers news of the famous antiquities which find their way to the market-place. A simple farmer at Driffield in Yorkshire discovered a corner cupboard 'covered with dirt.' Pitying the forlorn corner cupboard our farmer tended it and cleaned it thoroughly. His reward soon shone out through the dirt. A carved name appeared and a carved date. The date was 1603, and one need hardly add that the name was *William Shakespeare*. 'The piece,' says the *Collector's Circular*, 'is considerably over two hundred years old,' and in face of the date the statement shows that the *Collector's Circular* is a cautious and trustworthy

organ. It is decorated with carved panels 'of battle axes and other old-time implements,' which, says the *Collector's Circular*, are 'probably the work of Shakespeare himself.' On this point however we would not wish to commit ourselves, as we understand that Mrs. Gallup has not yet examined the old-time implements.

* * *

Preceding Mrs. Gallup we have ourselves visited the relic, and found it standing humbly upon the floor, making a little Stratford-upon-Avon of a corner of a King Street sale-room. The sale catalogue describes it as Elizabethan, and the date of 1603 would just allow of the attribution, if the Elizabethans had not perversely regarded the year as beginning on 25 March. By the history books Queen Elizabeth died on 24 March, 1603, but the custom of the time regarded that date as 24 March, 1602. The corner cupboard itself is a plain one, which without its carvings might have stayed in remote Driffeld without hope of fame and the sale-rooms. The curious will only remark of it that the bard, solacing his Stratford hours with the pleasant art of wood-carving, chose for his subject a corner cupboard of a type familiar enough in the early eighteenth century. He was however not for an age but for all time, and it is unseemly that we should limit his activities with pen or chisel to his own circumscribed period. His signature is what takes the eye. Carved not in bold capitals, as is the wont of names upon ancient furniture, but in a handwriting which strengthens the authenticity of the already known signatures of Shakespeare, this name throws more light for Shakespeare students upon the signatures themselves. Many who are unfamiliar with letters of Elizabethan script have professed themselves unable to decipher letter by letter the Shakespearian signatures. The name upon the door shows Shakespeare himself in the same difficulty. Forced by his task to carve letters of greater distinctness than paper or parchment demands, Master William Shakespeare exhibits a lamentable inability to understand or to form the written letters of his period. Beautiful as the cupboard may be with its battleaxes and 'other old time implements,' he would have been well advised to allow it to anticipate the fate of his mulberry tree. With the corner cupboard once safe in Boston, New England, the Baconian position will be mightily strengthened against our illiterate old household god.

The snipping reviewers have given us appetizing extracts from *British Family Names ; their origin and meaning*, by the Rev. Henry Barber, M.D. and F.S.A., a book whose value has brought it to a second edition. As a rare mine of examples of what is believed concerning surnames its popularity should not cease with two editions. Dr. Barber's learned care seems to have been devoted to explaining that in the matter of names things are not what they seem. Barber as a surname must be given a possible origin in a Norman town, and Baker, Butcher, Carter and Tanner must have their natural jealousy appeased by the suggestion of other remote and gentlemanly possibilities applicable to their cases.

If, as the reviewer hints, Dr. Barber is prepared to suggest a common origin for the names Clothier, Lowther, Lothaire and Luther, his book may certainly be 'warmly recommended to the student of genealogy' who desires to free his study from hampering fact. What Dr. Barber at his best can do for a family is shown by his magnificent effort for Waring, a name which old-fashioned Warings were content to derive from Warin, once a frequent personal name, but which Dr. Barber will take, if you will, from the Veringen, the tribe after whom the Varanger fiord is named, who formed the famous Varangian Guard of the Byzantine emperors ! Against the Varangian Guard of Warings we can make no effectual stand, but when Walker is explained for us as a 'strange soldier,' we are constrained to defend ourselves against the 'strange soldier' by crying his name aloud, using it in its other old English sense of an interjection implying doubt or disbelief.

* * *

Mr. G. K. Chesterton's new *Life of Robert Browning* is responsible for the following assertion—

It is a great deal easier to hunt a family from tomb-stone to tomb-stone back to the time of Henry II., than to catch and realize and put upon paper that most nameless and elusive of all things—social tone.

We feel sure that Mr. Chesterton does not speak idly. He himself or some one he knows must have followed the chase of an ancestor, vaulting one by one the two and twenty tomb-stones which must lie between us and the days of our first Angevin King to discover the family patriarch's name written large upon the last. But Mr. Chesterton is critic rather than

genealogist, and he should be told, despite the modesty with which he deprecates the feat, that he alone has been favoured with a sight of seven hundred years and more of intact tombstones of one family. For us others the family tombstones may aid in the disentangling of an eighteenth century pedigree, may even with good luck at our backs help us through seventeenth or even sixteenth century difficulties, but after hearing of the long unbroken line of Mr. Chesterton's tombstones, the antiquarian mouth waters, and we insist upon having news of this family. It must be one of the score or so of English families which can be traced to the twelfth century, and it is certainly not that of Browning. Our own information fails: rather than follow vainly on such a quest we would in our despair essay to catch and realize and put upon paper the most nameless and elusive of things.

* * *

With each birthday of Lord Kingsale the legend of the Hat keeps festival in print, and Lord Kingsale's 'right' to stand covered before his sovereign is traced to its fabulous origin in the story of the mythical house-ancestor John de Courcy, 'Earl of Ulster,' whose grim face and big sword so frightened a French champion that he bolted under the ropes of the ring and never stayed his flight until safe upon the Kingstown packet. The insistence of the legend upon the 'Earl of Ulster's' scowling brows lends colour to the story that King John hastily accorded the privilege of pulling a hat-brim down over their terrors; but the fact that King John's day was unacquainted with the courtesy of hat-doffing balances that probability, even as the undoubted existence of King John is counterbalanced as a point of evidence by the equally undoubted non-existence of John de Courcy as 'Earl of Ulster,' heavy weight champion of Ireland, and ancestor of the Kingsales, the John de Courcy upon whose history the tale is based dying without an earldom or legitimate issue. The Lords Kingsale seem to have become aware of this ancestral right to play the boor at court about the time of William of Orange, since which time they have more than once asserted their privilege, rousing to emulation the Lords Forester who now claim a similar right upon better evidence. Lord Forester, whose right is yearly recognized by the Kingsale paragrapher, is descended from an ancestor who, suf-

fering from ringworm or some other scalp disease, was allowed by Henry VIII. to cover his woes with a cap or bonnet when he was in attendance at court. From this basis to the story of a right of each succeeding heir of Forester to put his hat on when he sees his sovereign approaching him is a light task for the brewer of family legends and the editor of peerages.

* * *

A late alliance of the house of Hastings with the house of Bass has set in motion an industrious paragraph which appears and reappears in the society journals. The Hastings family, with its all but certain pedigree to the Hastings who had Ashill in Norfolk under Henry I. might be spared the tag which affirms it to be 'among the few who—literally—landed with William the Conqueror.' But the house claims a rarer distinction than descent from one of those many companions of the Conqueror who have been selected as ancestral figures by respectable English families.

Everyone may not be aware that all the Hastings family have a right to a quaint adjunct to their servants' liveries in the shape of a maunche or hanging sleeve of black velvet, given to a Hastings of olden days as a mark of gratitude for services rendered to his Sovereign.

A base of sound fact is afforded to all of such statements by the openings 'it is not generally known' or 'everyone may not be aware.' So far, as a rule, we are with the paragrapher. Students of armory are familiar with the white shield of Hastings and its black sleeve borne thereon for arms. At what date a Huntingdon was seized with the curious fancy for commemorating his ancient arms in a servant's sleeve, which must be nervous wear when soup-plates are being handed and removed, we cannot guess. But the idea that some ancient sovereign of these realms rewarded Hastings's fidelity by designing new liveries for his footmen or parlourmaids is not one which we should accept without questioning. George IV., before whom troopers of the Tenth stood in full uniform whilst the king with royal fingers pinched and demonstrated to an attendant tailor and cutter that pantaloons and coatee already at bursting point might be drawn still tighter, suggests himself as the Sovereign of the paragraph, but the days of his reign are hardly matured to the point of permitting themselves to be described as 'olden days.'

THE GENUINELY ARMIGEROUS PERSON

THOSE of us who keep our reminiscences of the last century will remember the famous newspaper season of the *Armorial Gent.* It began with a series of articles in a weekly review in which a minor prophet, to whom recklessness of grammar and construction lent a pretty air of earnestness, spoke and indeed screamed to the people that it should turn from its armorial sins.

With cruel hand our country's shame was uncovered. 'Arms and the Snob,' 'Some Snobbish Peers,' 'Snobs on the Judicial Bench'—these and other attractive titles bore the strings of our scourge. Our eyes being opened we knew that judges, bishops and peers, famous soldiers and sailors, statesmen honoured on the front bench and squires yet more honoured in their own county towns, were snobs, lawbreaking snobs, snobs who 'broke every law in existence' with their 'rotten ideas' of gentility, snobs who sought in vain to cover their armorial nakedness with coats of arms which did not belong to them.

The land aroused and anxious demanded where armorial salvation might be sought. The answer was thrust at them. Hard by, in Queen Victoria Street, the cleansing Jordan flowed; a single plunge, a substantial fee to the bath attendant, and the 'snob' might return to his own, a shining one, a true gentleman, and in the beautiful phrase of the nineties 'a genuinely armigerous person.' The rescued snob was even besought to mount at once to his nursery, to take its little tenants upon his knees, and explain to them the nature of the miracle which had turned them into veritable little gentlemen and genuine little ladies for whom association with non-armigerous nurseries next door would be pollution. The word gentleman was taken severely in hand, and its definition by Chaucer and the customary use of it by people of breeding and education had to be abandoned by us with many other 'rotten ideas,' which we had nourished in our 'snobbery, rank, utter and absolute.' 'Nothing,' it appeared, 'that a man can do or say (alas! poor

Chaucer) can make him a gentleman . . . without a grant of arms !'

The English people being thus forewarned our prophet announced that he would endeavour in his own person to put a stop to what in his quaint and excited English he called 'the degradation of an abominable abuse.' In this good cause a dictionary and register of Armorial Gents was therefore printed and published, in which register the genuinely armigerous ones were herded with lawbreakers to the perpetual shame of the latter. Here one might read of the Armorial Gent, his name and address, his arms and crest, his clubs, his armorial children, 'gentleman' being solemnly attached even to the name of the last arrived suckling. Fascinating details were added of the colour of the footman's undress and full dress breeches, and the whole paragraph set in Roman type. Side by side we had the crawling lawbreaker, the sickening plebeian. His name and address we had, his clubs, his illegal arms and crest, the names of his lowborn brats and the nature of his footman's unauthorized livery. But all this in italics, and in italics to remain year by year until the plebeian vanity be broken and until outsiders such as Squire Barnardiston of the Ryes be persuaded to draw the cheque for the parchment and seals which shall raise them to the rank legally enjoyed, as we understand, from Mr. Phillimore's Pamphlet by the late Mr. Barney Barnato.

That admission to the ranks of the genuinely armigerous class was connected with a money payment was an awkward fact which needed all the prophet's bluster. A bold attempt was made to enforce that favourite fallacy of the heralds in their prosperous Tudor days, that a grant of arms was a patent of nobility, and that the new gentleman, 'being made,' as old Harrison hath it, 'so good cheap,' held by his patent a lesser but a like honour to the one which a peer of the realm enjoyed by his own patent or writ. A gentleman was a noble, a noble was one who bore arms, and so in the last years of Victoria the false antiquarianisms were revived, the mouldy fancies stirred, of those old heralds who to press their venal case had not stayed to pronounce, with crazy blasphemies, that the Lord Jesus Himself was a genuinely armigerous person in right of His mother.

Aided by the clamours and denunciations of the prophet a boom in coats of arms followed. The faded splendours of armory cry out against the phrase, but a boom it was. One re-

calls, amongst the many amazing developments of that day, that a London club was planned within whose swing doors armigerous gents should mingle with none of lower degree. The scheme withered away on the hint from a friendly herald that many of the newly received minor nobility and of the gentlemen of coat armour were not gentlemen in that narrow sense demanded by the rules of a London club. The button makers and book-plate engravers however began to talk hopefully of 'the modern revival of English heraldry,' but the English public is fickle in its eagerness. Had the boom lasted the College of Arms of London might have rivalled the First Church of Christian Science of Boston, N.E., in material prosperity, but the boom failed suddenly. The prophet's articles ceased to please. More phrases after the fashion of the precious one in which he made known his pride in 'that corner of Westminster where cluster together our national Valhalla' might have saved his popularity with the cynical few who besought him to show them a Valhallum and explain its clustering habits, but the many were undeniably bored and the Armigerous Gent slept the deep sleep of the forgotten boom. He was dead as the Missing Word.

To meet him again by daylight in his quaint Victorian dress is something of a shock. But Mr. W. P. W. Phillimore has him by the hand and is thrusting him upon our notice.¹

Inasmuch as Mr. Phillimore is known for an antiquary interested in certain sides of genealogy, one to whom we owe more than one useful handbook and the beginning of a most useful series of indices to probate and other records, and as he chooses moreover to address us in his character of a lawyer, we cannot refuse attention to his pamphlet, whose argument indeed challenges the whole position which the *Ancestor* has taken up in regard to the study of armory.

According to our lights let us examine Mr. Phillimore's position with all the care we may, and see what new thing he has to tell us which will excuse the re-opening of the whole controversy concerning the right to bear arms in England.

Mr. Phillimore as may be expected speaks with a voice

¹ *Heralds' College and Coats of Arms regarded from a legal aspect*, second edition, revised, by W. P. W. Phillimore, M.A., B.C.L. (London: Phillimore & Co., 124, Chancery Lane, 1903).

which does not bring back the shrill squall of the prophet of authorized armory. The folly of the 'gentleman' he drops in so many words. The denying of the style of gentleman to men in high places because they possess no coats of arms he denounces roundly for 'a pedantic impertinence.' Those who disagree with Mr. Phillimore are, as might be expected, spared the epithets of 'silly fools' and 'rotten' idiots, and no clustering Valhalla are twined round Mr. Phillimore's rather bleak prose.

But if the voice be the voice of Mr. Phillimore the hand is the hand of 'Mr. X.' We turn a page and the old legend greets us. Again we are to be persuaded that the orders of nobility run from King and Peer, to Baronet, Knight and Genuinely Armigerous Person. Throughout the pamphlet this important question is begged. We are told that 'with grants of hereditary coats of arms' the officers of arms 'create *nobiles minores*.' 'So long, however, as the Sovereign grants titles, honours and arms, there must be some rules prescribing the mode by which they are to be granted and used.' Again and again is the false analogy forced upon us, the analogy of the grant of arms and the grant of a title of honour.

That Mr. Phillimore is uncomfortably conscious of the fact that no such analogy exists is shown by his harking back to the weak link which makes all his argument futile. Mr. Phillimore and the prophet call their gods to witness that a grant of arms is a patent of nobility, an honour from the hand of the sovereign, even so much as is the patent of a peerage. So be it. Let Mr. Phillimore choose his candidate for, leaving peerages alone, the modest honours of a knighthood, or of the fifth class of the Victorian Order. Let us on our side choose a candidate for the honour of a grant of arms, and let the relative success of our candidates demonstrate the vital difference between a grant of arms and honours which are in the sovereign's gift, whose distribution is within the sovereign's knowledge. The difference lies in the fact that the one is obtainable on a money payment by a suitable candidate whilst the other is not. The quibble that a peer pays fees for the expenses of his patent is an unworthy one which Mr. Phillimore as a lawyer has not deigned to borrow from his forerunner who used it shamelessly. Those fees it need not be said are not the purchase money of the peer's title, but that the fees for a grant of arms are in effect such purchase money

has ever been held in common belief and speech since the College of Arms was first incorporated. Here we have Mr. Phillimore's last word for his case.

Often it is alleged that a Heralds' College patent of arms is a grant which may be obtained by anyone on payment of certain specified fees, the suggestion implied being that modern grants are worthless, as being readily purchasable by the man in the street for filthy lucre. Such, to those who know the practice of the College, is notoriously not the case, though there is no precisely defined rule as to whom arms may be granted or refused. The issue of a warrant by the Earl Marshal is purely a matter of grace, and each application is judged upon its merits. To persons in certain ranks of society arms will be granted at once without question, to others with equal certainty they will be denied. It is no use complaining that there is no hard and fast rule when we are dealing with what is a matter of grace. We might just as well grumble at the haphazard creation of peers, baronets and knights.

We might indeed if we were given to understand that the haphazard creation of peers, baronets and knights is based upon a selection, upon an unknown principle, from a number of individuals who had proffered in exchange for those dignities a fee of an amount specified in an official tariff. The mystery surrounding the selection of the favoured ones by the Earl Marshal is probably no deep one. Mr. Phillimore does not tell us that high character, honourable extraction, or good service to the State are demanded of postulants for the honour of minor nobility. And the quarrels of dead and gone heralds make known to us many of the instances in the past where armorial ensigns have been assigned to most unworthy names. We hear indeed some gossip of rules which would exclude a man engaged in retail trade from ennoblement by grant, but this can hardly be the case, for more than one tradesman figures in roman type in the register of the armigerous. In any case such a distinction is a mean and unworthy one. The tradesman was in the past one of the best and most profitable customers of the heralds, and it were hard to shut him out at a time which has come to see the countess in her bonnet shop and the peer of the realm on his milk walk.

This tale of the exclusion of the unworthy will hardly help Mr. Phillimore in his uphill task of proving that an honour obtained after taking a fee to the proper quarter is comparable with an honour given of his own motion by the sovereign. If, as we move meekly to the third class end of our railway train,

a first class passenger taunts us with the honour which he has been granted by the directors of the South-Eastern Railway Company, such honour being a ticket permitting him to travel in a first class saloon upon blue cushioned seats, we may justly reply that the honour which he boasts is no honour to our mind, for any one may purchase it with a first class fare. If Mr. Phillimore were by he would assure us that we misapprehended the honour conveyed by the ticket. Money, he would say, has passed at the ticket office, but we ought to know that money passes when a peer is created. The honour is 'purely a matter of grace, for first class tickets are not issued by a hard and fast rule. They are denied to sweeps, to butchers in their butchering gear, to private soldiers on the Aldershot line.' 'To persons in certain classes of society tickets will be granted at once without question, to others with equal certainty they will be denied. It is no use complaining.'

The main contention of Mr. Phillimore's tract is easily put aside. He himself, knowing the impossibility of sustaining it, has preferred to talk round his subject without venturing aught in the form of a syllogism. For the rest we turn to the pamphlet to find that Mr. Phillimore, having said his word for the Armigerous Gent, leaves that interesting client behind him, whilst the rest of the pamphlet is given up to Mr. Phillimore's title subjects of *Heralds' College* and *Coats of Arms*. Of *Heralds' College* he may speak from some experience, although his knowledge of the historical practice of that corporation seems curiously superficial; but when Mr. Phillimore comes to deal with coats of arms he wanders in a field unfamiliar to him. His first words are enough to convince us that Mr. Phillimore will be happier with his parish registers and his indices than with a subject concerning which his investigations have not yet qualified him to dispute. A knowledge of armory however has never been reckoned a necessary detail of the equipment of those who would write about it. Yet Mr. Phillimore may be easily excused. His pamphlet has but four and twenty pages, and folios and quartos on matters armorial have flowed from writers whose studies have been no less elementary.

'It will be worth while,' says Mr. Phillimore, 'to consider the origin of coat armour, and the right to bear it,' and we begin considering it hastily and after this wise:—

Armorial bearings, or coats of arms, in their origin are clearly of a military character, but for many centuries past they have been distinctly a civilian honour. Great uncertainty attaches to the early beginnings of heraldry ; it cannot even be regarded as a settled point whether arms could be assumed by soldiers in the king's army without any specific authorization, or whether the king's own approval, exercised directly or through his officers of arms, was requisite. Certain it is, however, that the regulation of such matters was very early taken to be a matter of honour, and therefore to be dealt with by the royal prerogative, as the well-known case of *Scrope v. Grosvenor*, settled by King Richard II. in person over 500 years ago, amply proves.

For us such a paragraph would in itself dispose of the possibility of continuing in argument with the writer concerning the ancient practice of armory. 'Great uncertainty' indeed attaches to the early beginning of armory, but no uncertainty whatever exists as to the probability in those dark times of the king authorizing arms by direct approval or through his officers of arms. We say without hesitation that a writer whose view of the middle ages allows him in comfort to read into the days, let us say of Richard Cœur de Lion, the Genuinely Armigerous Person, or even the 'officer of arms,' might have seen Garrick play Macbeth in the dress of a colonel of the foot guards, with a periwig and basket sword, without being troubled by any historical incongruity. The case of *Scrope v. Grosvenor* is an unfortunate one for Mr. Phillimore as a lawyer to put in. If Mr. Phillimore had read the case he cites he would see that it alone is enough to dispose of his officers of arms and royal authorizations far back in the beginnings of armory.

In *Scrope v. Grosvenor* we have two knights claiming the same blue shield with a golden bend. Each, lying like a Dethick or a Writhe, puts forward an account of his right to the shield. As neither is hampered by the slightest regard for fact in the opening flourishes of his story, and each is aided by clerical advice, we should look, were there any shadow of foundation for Mr. Phillimore's belated guesses, for sworn evidence that King William the Conqueror or King Arthur of Little Britain had authorized a Scrope to take to himself such a shield, or at the least that White Horse Herald, attendant upon King Hengist, had been paid seventy-six pieces of red gold and ten of the white silver for a grant to a Grosvenor on his retiring from retail trade in battleaxes. But nothing of the kind is hinted or guessed at. A question of property in the shield is raised, and complainant and defendant

desire to prove nothing more than user, each protesting that his ancestor was the first to run the yellow band across the blue.

Mr. Phillimore follows his hazardous suggestion of a leading case with these words :—

The absence of any definite code or set of rules in early times respecting armory is a clear indication that the law on the subject is wholly analogous to the common law, i.e. it rests, not on statute, but on very ancient and long usage, continued down to the present time without, as far as we know, any break or interruption whatever.

From Mr. Phillimore the lawyer, writing on the legal aspects of armory, we need ask nothing more. When Mr. Phillimore the antiquary has assimilated the fact that his one case of *Scrope v. Grosvenor* shows that a coat is not held from the Crown, but is a piece of personal property, the right to which depends simply upon user and the right as against others upon prior assumption, Mr. Phillimore the lawyer will doubtless abandon his whole argument for the right to bear arms resting necessarily upon official recognition or grant from an officer of arms.

As it is an established fact amongst antiquaries that arms were assumed in the beginnings of armory even as *Scrope* and *Grosvenor* pleaded that their ancestors had assumed their shields, so also it is admitted by Mr. Phillimore that no legislation has come between Englishmen and this right to bear arms. The fabulous Law of Agincourt now no longer takes the field. For many generations it was held as of faith by antiquaries and others that King Harry the Fifth set a law upon the statute book that none who had not borne arms with him on Agincourt field should assume them in future without the royal licence through its officers of arms. In our days the law has been hunted for in vain, and the genesis of the myth has been discovered in writs issued by Henry V. to the sheriffs of four counties forbidding the assumption of arms by those men who were going with him on a certain 'viage' into France, the king having doubtless seen enough brawling over the ownership of hastily assumed coats of arms amongst camp swaggerers who wore their embroidered honours flanked with supporters of sword and dagger. The heralds' authority for their visitations, as is well known, depended upon writs whose validity ended with the visitation. Therefore it would seem that Mr. Phillimore agrees with us that

the 'lawbreaker' who bears arms without official authorization, breaks no specific law of the land, but only the laws laid down in the Handbooks of Heraldry, which have as yet no statutory value.

It is painful to trace from page to page the increasing difficulty experienced by a writer skilled in the law in seeking to avoid the obvious. The question is most manfully begged. In the middle ages, as Mr. Phillimore allows himself to admit, freemen assumed to themselves coat armour, but such assumption he labels 'irregular,' and declares that no hereditary estate could be created in such arms. Here Mr. Phillimore is in awkward case. Here is reasoning which makes Scrope, St. John, Berkeley and Nevill use throughout the middle age 'irregular' arms in which no property could exist, and which gives Sir Thomas Lipton's new shield an authority which the King Maker's lacked.

Caught in such a net Mr. Phillimore is helpless. He meets facts with feeble banter. There can be no right to use arms without official authority, for 'obviously, if such be the case, since now we are all free, there is clearly no obstacle to a crossing sweeper taking to himself such a coat as—Gules a pair of brooms covered with mud proper.' We can only say that if the crossing sweeper, before such assumption, will consult Mr. Phillimore the solicitor concerning the legality of his action, refusing interference in the consultation by Mr. Phillimore the antiquary, he will probably learn that there is no obstacle whatever to his foolish design, and that a payment of one guinea yearly to the inland revenue authorities will 'authorize' him 'to wear and use Armorial Bearings.'¹ Our lawyer's last word as a lawyer is as follows :—

Put briefly, the position is this : Would the High Court of Justice issue a mandamus to Heralds' College compelling the officers of arms to accept and record armorial bearings the claim to which is based on mere prescriptive usage ? If not, then, *cadit questio*.

But the position is not thus but otherwise. We should rather put it briefly in this manner. One who claims armorial bearings upon prescriptive usage will hardly seek to force these arms into those books of the officers of arms in which are registered arms which have been granted after payment of fees. Let Mr. Phillimore ask himself a question more to

¹ We quote the terms of the Inland Revenue licence.

the point. Would the High Court of Justice issue a mandamus on the request of the officers of arms compelling one who bears arms upon mere prescriptive usage to relinquish such arms? If not, the question of illegality falls to the ground.

The legal argument being weak, Mr. Phillimore turns to railing against the bearer of 'unauthorized' arms. In this matter his natural kindliness and courtesy hamper him, and his performance is one which will not fail to draw upon him the contempt of his great forerunner.

Put plainly, and treating it from a practical common-sense point of view, the use of a coat of arms is an implied intimation to the world at large that it is borne lawfully, and the uninitiated conclude that it is from Heralds' College. Therefore, if it be not borne *by right*, its use is then, to all intent, a mere fraud on the world at large. The fraud may be, and often doubtless is, perpetrated in genuine ignorance, but all the same it remains a deceit. Of course it would be another matter if the user boldly proclaimed that he or his grandfather invented the arms, and made it clear that they were not derived from the Sovereign, directly or indirectly through the College of Arms. But such candour is unknown.

Mr. Phillimore surely jests with us. The very last impression which your new man desires to create by his crested notepaper is that his crest is 'from Heralds' College.' If he be a *parvenu* does he desire his gallery of new found ancestors to proclaim to his guests their late arrival from the hands of the Bond Street dealer and expert? But what fraud, what deceit does the ordinary man perpetrate upon his fellows by the use of a coat of arms? According to Mr. Phillimore such arms are the distinguishing mark of a 'minor noble.' Without inquiry in the mystery of the position of a 'minor noble,' we may take it that some social rank is indicated by the term. Now a man either enjoys that social rank or is without it. If he possesses it, what addition does the official registration of his arms make to the rank which he admittedly has already. If he does not possess it, what possible alteration can a grant of arms make in his standing amongst his fellows. The prophet 'X,' indeed, hinted that advancement in society followed the grant of a patent of arms, but he gave no details, and the society spoken of remains as vaguely placed as that society in which, *teste* Mr. Anstey, one dresses every evening for high tea. We feel sure that logic will persuade Mr. Phillimore that fraud and deceit are unjust words to apply to a 'minor noble' whose

use of arms can mean no more to the world at large than a proclamation of his minor nobility.

It is not by our desire that the position of the College of Arms and its records are dragged into this dispute by Mr. Phillimore. The College of Arms is one of the few venerable relics of the past which remain to the City of London and to the country. A corporation with a history of four centuries at its back, still pursuing its high office, the guardians of royal pageantry, with their blazoned registers of the descents and alliances of the old English gentry, now so nearly perished away; such a body is not one which an Englishman, reverence for antiquity in his blood, desires to see hustled in the quarrels of our market place. That the mud of the street has splashed its old velvets is deplorable and deplored.

The College of Arms has been wounded in the house of its friends, friends whose friendship, could such an aged institution find strong voice, it would disclaim with anger and disdain. The grief and annoyance which the 'X' articles caused inside the old red walls of the college may be guessed by those who contrast the quiet of that haunt of ancient peace with the clamour and bluster which made the natural atmosphere of this self-chosen trumpeter, whose charivari under the college windows must have been unwelcome music.

The difficulty in which the corporation was placed by one who set himself to beat up business for the college by a campaign of insult against those who abstain from applying to it will be understood, and the college as a body remained silent. But more than one officer of arms made the world aware of his indignation. An article in the *Saturday Review*, which bore throughout the stamp of an official's authority, contained this with other harsh and just criticism of the 'revival of heraldry':—

Those who decline to take steps which involve the payment of fees to professional men . . . are periodically to be described by implication as impostors. This, if done at all, should be done officially. In an amateur it is meddling; it is a kind of scandalmongering.

The *Ancestor* has no quarrel with those who allege the manifest convenience of a central registry in which arms may be put upon record by their bearers. If such a registry is to exist, tradition and sentiment demand that it should exist in the ancient office of arms and under the direction of the Earl

Marshal and his officers, although upon the ground rather of its appropriateness than upon the plenary authority with which persistent assertion would clothe it. The right of the college to grant arms to those applying for such distinctions is not disputed by us.

None the less the whole policy of those who support the *Ancestor* finds itself continually at variance with the new claims which are rashly pressed by the clamorous champions without the college, and also with much of the practices and many of the traditions within it, the practices and traditions which, handed down from its most evil days, are suffered to hamper and maim its efforts in our own time. Our own pages, as we acknowledge with gratitude, show that some, and those not the least distinguished of the present officers of arms, are in sympathy with modern enquiry into the archæology of genealogy and armory, and when we reluctantly accept Mr. Phillimore's challenge to treat the college as 'a public institution which must expect public criticism,' and the 'honest comment' of which no one should be afraid, we are delivering no veiled attack upon a body of officers of the Crown, with the friendship of many of whom we are honoured.

After the wonted manner of the militant supporters of official heraldry Mr. Phillimore parades each of the unanswerable difficulties into which the college is thrown by the assertion of the extravagant claims made for it. One of these is the difficulty of reconciling the claim of the college to jurisdiction over English armory with the fact that its existence dates only from the end of the great period of armory. This is faced by the usual begging of the question. Heralds have existed before the college had its charter, a fact undoubted by every schoolboy who remembers the herald of the Latins, 'who stood in Rome's eastern gate,' and did his office in the forum.

But when from these premises Mr. Phillimore proceeds to reason that the heralds before their incorporation claimed and exercised those ample rights which their post-medieval members claimed and half succeeded in exercising, he is beyond the mark. That the officers of arms have been 'the authority for armory without intermission for a far longer period [than 1 Ric. III.], a period whereof the memory of man runneth not to the contrary,' is a proposition which

Mr. Phillimore will find easier to assert than to back. Mr. Phillimore's vision of the kings of arms plucking down this shield and setting up the other in the earlier medieval period is as fantastic a vision to a medievalist as could be the suggestion that the herald of the Latins, doing his graceful office with a sceptre in his hand, was also equipped with a modern king's at arms crown of gilded oakleaves surmounted with the *Miserere mei deus* which round the forehead of a Dethick or Cooke would have had so poignant a significance. If Mr. Phillimore will examine the few early instances of grants of arms, he will find that they are in no case creations of new coats by the purchased favour of a herald or even of a king, but grants of the whole or some portion of a coat of which the property was vested, by right of user, in the grantor.

A second difficulty, and it is a serious one, is aired by Mr. Phillimore when he asserts the authority as records of coat armour of the collections in the custody of the college. Now if the college be in a position to assure us that it has preserved a complete register of arms granted by it, a complete register of the families and arms recorded by them in their visitations, and a complete register of ancient arms recognized by it from time to time as borne of ancient right, it would as an institution speak to us with far more assurance than it can at present.

But how does Mr. Phillimore answer those who, with former officers of the college amongst them, have stoutly asserted that the registers are imperfect, that their fellows have gone a visiting in the shires and brought no record back, that gaps in the history of some records vitiate their authority. Such allegations being made, how does Mr. Phillimore meet the difficulty? He does it by an airy suggestion of bad faith on the part of those who make these charges.

If it be pointed out that the arms cannot be found at Heralds' College the rejoinder usually is an allegation that the college records are imperfect, or that the officials have carelessly omitted to record the coat. *Yet nothing in the shape of evidence is ever adduced in support of the statement.* (The italics are ours).

For such an offence as is contained in this sentence we have appropriate punishment for Mr. Phillimore. He shall be Hansarded, as the House of Commons hath it. Mr. W. P. W. Phillimore of 'Heralds' College and Coats of Arms'

shall be shackled to Mr. W. P. W. Phillimore of 'How to write the History of a Family,' from the preface to which standard work we extract the following (it will be understood that the Heralds' Visitations are being spoken of) :—

Political feeling prevented some from obeying the Herald's summons, and the social position of a few of the Heralds [alas ! poor Kings] estranged others. Whatever the reason may have been the later visitations show that a large number of those summoned entirely ignored the call, so that the visitations are more remarkable for the pedigrees omitted than for those included, while among the disclaimers may not unfrequently be found the names of families who were certainly of visitation rank.

We will not therefore return to the validity and completeness of the Heralds' Visitation records until the two Mr. Phillimores, the scoffer and the convert, have settled their differences.

Mr. Phillimore then hurries to the front the most serious scandal which has dogged the footsteps of official heraldry.

Without doubt the first need that an official registry and the official assignation of arms to postulants should meet would be the protection of the owner, once on record, in his unchallenged possession of a coat of arms.

Let us quote Mr. Phillimore :—

It is worth while to realize that a certain analogy may be observed between the use of registered trade-marks and authorized coats-of-arms. The Registrar of Trade-marks will, for a trifling sum, record any device submitted to him, provided it complies with certain definite rules, one of which is that it must not be the same as a trade-mark already on the register, or a colourable imitation thereof. Once registered it becomes the absolute property of the applicant, and may be assigned to others as he may think fit. And anyone infringing this mark, or using a colourable imitation thereof, may be restrained by an injunction in Chancery. This may, in theory, be an infringement of the liberty of the subject, but in practice no harm results therefrom.

In the case of arms, there is not the same liberty for every one to adopt and register his home-made coat-of-arms, for coats-of-arms are not granted (whatever the popular idea may be) to all and sundry who apply for them, whilst their devolution is usually limited to the grantee's descendants according to certain prescribed rules, and, unlike trade-marks, they are not assignable. Moreover, the arms granted must, like trade-marks, be absolutely distinct from any other coat-of-arms already recorded. Having regard to the nature of arms and their object, that of providing a distinctive symbol or family mark or emblem, it can only be regarded as a scandal that they should be openly pirated by persons having no better title to them than a similarity of surname, or, as often happens, not even possessing that very shadowy right. It is surely not too much to suggest that the legal owners of a coat-of-arms or, so to say, an hereditary family mark, should have the right of restraining by injunction

in the Court of Chancery, or in the Court of Chivalry, those who infringe their privileges and their rights, for which they, or their ancestors, have paid certain fees to the national revenue, as well as to the College.

With regard to trademarks we would that the analogy were more perfect. True it is that the Registrar of Trade-marks will record any device submitted to him, provided that it is not the same as a trademark already on the register *or a colourable imitation thereof*. Unhappily the reverse has long been the case with coats of arms. According to an evil tradition the first care of the officer of arms has been ever to provide his client with a 'colourable imitation' of the arms of the greatest of the families whose surname the client may bear. The nearest peerage and baronetage, the dictionary of Armorial Gents will demonstrate this beyond need of words. When Lord Russell of Killowen, an Irishman born, without even a tradition of English ancestry, came to the official fountain head for new arms, what arms were assigned to him but a colourable imitation of the arms of the greatest Russell in the three kingdoms, upon the strength of the common epithet surname of Russell, a surname which would allow a distinct family of Russell to descend from any and every red-headed man living at the springing up of surnames. Lord Russell was granted the whole arms and crest of the Russell dukes of Bedford, with the inconsiderable difference of a green border. 'The head of the Irish Bedford Russells' would be the commentary of any guileless armorial student who saw that amazing shield, and remembered that the one armorial difference ever adjudicated upon by the sovereign in person was the border, a difference declared to be an unmeet distinction for any one not very nigh in blood to the bearer of the undifferenced shield. With the like armorial scandals we might fill our *Ancestor* quarter by quarter, but they are known to all students of such matters, excepting Mr. Phillimore only. Let Mr. Phillimore open his peerage at hazard and study for a while in silence. Let him take such an instance as the very striking arms granted, as we believe, under Henry VIII. to George Rolle of Devonshire. Let him follow George Rolle's pedigree and discover for himself that George's male issue is extinct and that the right to the shield is vested in the family of the Lords Clinton. With the Rolle arms and crest in mind let him turn to the arms and crest officially assigned to the family of *Rolls*, Lords Llangattock, a family founded in modern

times by a fortunate dairy farmer. Now supposing that the arms of *Rolle* had, instead of being the badge of an ancient Devonshire family, been the trademark of a Swiss milk tin, does Mr. Phillimore believe that the new arms of *Rolls* would have been allowed by the Registrar of Trademarks to a rival firm of Swiss milkmen? Such is our opinion of the watchfulness of the trademark department that we believe the latter shield and crest would have been rejected forthwith as a 'colourable imitation.' Lord Tennyson's arms, a colourable imitation of the arms used by a family of Tennyson with whom no relationship could be shown, are avowedly based upon the impudent piracy by the latter of the shield of a knightly family called Denys, and with these three shields may be compared the official quartering of the arms of yet another 'Tenison' family borne by their descendant Lord Kingston.

Strange it is that in every point of traditional armory Mr. Phillimore, who would instruct us, stumbles as he goes. The main difference between a coat of arms and a trademark is that the coat is not assignable. Now Mr. Phillimore has been at pains to show us, as a lawyer, that the law of arms is based upon ancient custom. So far from coats of arms being by ancient custom unassignable, our early documents concerning them teem with instances of the unchallenged practice of owners of shields assigning at will their property in them to others by simple deed of conveyance. Needless to say we find ourselves most heartily in agreement with Mr. Phillimore as to the scandal caused by the open assumption of arms by persons with no better title than a similarity of surname. Such an instance he will find in an article in the current number of the *Ancestor* concerning the official allowance to the Wiltshire family of *Kaynell* of Bridstone of the ancient arms of *Cayvill* of Cayvill in Yorkshire. Such an instance, let us suggest, he will find in the modern grant to each of two different families named Phillimore of clumsily differenced versions of the arms and crest of the *Filmers*, baronets in Kent. Mr. Phillimore's suggestion that the grief caused by the piracy of one's ancient arms springs from the fact that one's ancestors may have spent good money in acquiring those distinctions does not move us to the same degree.

Let us go back to our quotations :—

Another complaint frequently made is that the arms granted in recent

years are usually irretrievably bad in their design, and that they betray unmistakably their modern origin.

* * * * *

The one great merit of Victorian heraldry is the ease with which, as a rule, it is possible for an expert to date it.

It is something to learn that Victorian heraldry possesses a merit, however modest, in the eyes of at least one observer. But it is a qualified merit. Armory is after all only valuable as a distinction because it speaks of the past. The Mr. Jackson of yesterday is become Lord Allerton. The new honour gives him no licence to array the Yorkshiremen of his barony under the square banner of his newly authorized arms, but it is an honour because in some sort it carries with it the subtle flavour of the middle ages. If any one doubt this, and protest that the honour is all modern and lies in the elevation to the Second Chamber, we will but ask who would accept a barony of Clapham Junction or the earldom of the Tottenham Court Road, titles which would have great merit to Mr. Phillimore's mind in the ease with which they might be dated. A crest and coat of arms are in like manner valuable because they call back pleasantly the idea that they are, in name at least, to be borne on a steel helm and over a mail hawberk. Let us imagine that with the right to bear arms came the right in some high ceremony to bear them in the old manner. New armour would have to be hammered for the new squires and knights. According to Mr. Phillimore the charm of such armour would lie in its being forged to shapes indicating in steel the tall hat, the morning coat, and the neat but unromantic trouserings of Piccadilly. But the new man who appeared in a coronation pageant in armour recalling the fifteenth century would be cheered by the crowd, although Mr. Phillimore would blame him for 'a sham antique,' a 'fraudulent' masquer, and if we know aught of human nature those appalled by the direction of Mr. Phillimore and the honest officers of arms would never show their shining skirts in public.

And armory, besides being a recollection of the middle ages, is based upon the simple balance of design. It is not pretended that the Victorian mannerisms which so take Mr. Phillimore are aught more than the inept failures of bad taste or bad design. Mr. Phillimore in defence of his principle should hurry the heralds and their designers. They are not

modern enough. They are still of the period of the horsehair sofa. We should by this time be able to recognize a twentieth century grant of arms by its absorption of the true modern art, the modern art of the New Gallery table with legs in the air to balance those on the ground, of the New Art clock which amidst its writhing curves conceals the time of day as though it were a guilty and inartistic secret.

Back again to our quotations. When Mr. Phillimore has learned more of the practice of heraldry he will shudder at some of them.

It may be worth while, therefore, to examine some of the complaints which have of late years been put forward with much persistence. One complaint, that the heralds grant to new men the arms of ancient feudal families, must be met by a simple negation. It is not done.

Mr. Phillimore will forgive our persistence, and will allow us to put aside his simple negation : in the face of notorious fact it is amazing in its simplicity. What the officers of arms are doing at this passing moment we will not presume to say, and Mr. Phillimore in using the word 'grant' has doubtless no intention of quibbling with us over a word, he being aware that an unwarranted grant of an ancient shield to a new pretender would in the nature of things be more gracefully styled an 'allowance' or 'confirmation.' On this point we will ask Mr. Phillimore three questions or four.

In putting this disclaimer upon paper, was he aware that the undifferenced arms of the royal house of Stewart have been allowed to a Norfolk family of somewhat similar name but with no drop of the blood of the illustrious house which bore those arms, and that those arms remain still on record, and are still borne by official authority ?

Was he aware that the undifferenced arms of the Howard ancestors of the dukes of Norfolk have been officially assigned to the descendants of a Dublin doctor who put forward no claim to them but the possession of one of the commonest of English surnames ?

Does he know that the Irish family of Morres bear with official sanction the arms and name of the proudest house of Christendom, of the house of Montmorency, and this on the authority of a childish fable served up in the nineteenth century ?

Are these examples enough, or must we remind him that in an earlier number of the *Ancestor* he will find the Lyon

Office also joining the sport and lightheartedly granting the undifferenced arms of Colt, baronet of Essex, to the banker Coulthart, whose preposterous pedigree, derived by genealogical ingenuity from Coulthartus of the Grampian Hills, a lieutenant of Agricola, has no explanation for this armorial mystery?

These and a thousand cases like them are the common-places of the story of official armory in these islands and may explain in some measure to Mr. Phillimore why antiquaries and historians, and other lawless ones, are inclined to look curiously at the hall-marks of those authorized arms which he quaintly styles 'personal distinctions from the recognized sources of honour.'

Throughout his pamphlet we are made to feel that Mr. Phillimore's heart is not with the patient antiquary. For the grubbers in the dust-heaps of the past he keeps a lightly veiled contempt. His last word is so remarkable, so characteristic of the whole of that school of which to our surprise, and can we say to our pity, he has chosen to be the mouthpiece and legal adviser.

Hear then Mr. Phillimore for himself and his clients :—

Heraldry is a living science, and far more concerned with the twentieth century than with the archaic survivals of the fifteenth.

Alas for the indiscretion of Mr. Phillimore. In an unwatched moment, in a hastily written line, he has spoken that truth which his new friends have concealed so long. Each and all of the writers of the manifestoes of the 'legal school of heraldry' has made, in his first paragraph at least, an unwilling genuflection to the ages of the tournaments, to the ages of Carlaverock and Cressy, of Falkirk and Agincourt. Each scheme for the 'revival of heraldry' has invited those middle ages to lend their name to the first board meeting. The days of chivalry must for decency's sake be invoked even in the prospectus to a new edition of *Armorial Gents* or *The Right to buy Arms*. Mr. Phillimore alone has the courage of his heart's belief. For him the splendours of the tournament crests and trappers, the many-coloured pomp which made a stately pageant of every medley of stabbers, are trumpery for the antiquary, 'archaic survivals' which do but hamper the 'living science' of the makers of bookplates and livery breeches, of the compilers of dictionaries of genuinely armigerous persons. The ancient shield with its knightly memories is pushed

aside as though in fear lest its associations should in popular estimation injure the attractions of the brand new shield which can be furnished forth to the aspirant for 'minor nobility.'

Not in the name of our review alone, but as we believe in the name of every antiquary or scholar who has given his time to the study of old English armory we protest against this button-makers' gospel.

Armory is not a living science. Armory was stricken when the medieval period had its death wound, and as a living thing it cannot be said to have survived our last civil war. The ingenuities of the official guardians of heraldry have reduced the arms of our English families to a welter of contradictions and misapprehensions. We wear no coats of arms on our backs, we carry neither shields on our arms nor crests on our heads. When the streets of London were full of bunting for the crowning of the king, no single citizen displayed his banner or flew his pennon. As if to mark the end of English armory our king himself gave way to the pleadings of those householders who had purchased 'royal standards' and allowed every house on his procession way to display, if it would, that banner of the royal arms which, had armory been a living thing, would have meant the presence of the king under it.

What is this living science for which Mr. Phillimore is concerned? The 'crests' on our spoons and notepaper, the arms which the coachpainter sets on a carriage panel, the pretty trivialities of the stationer's bookplate, are these the weighty matters to which we must give our attention to the neglect of 'archaic survivals'? We say deliberately that for us and for a school which, though small compared with the greater public of Mr. Phillimore and Mr. X, must yet be reckoned with, there is nothing in the modern practice of armory which should appeal to any soul with wits above the level of a postage stamp collector's.

For us at least the study of the use of arms in its native age, an age which has passed utterly away, is all that remains for the student of armory. By such study we shall add in some humble measure to the knowledge of the history of our land, and looking away from a grey and ordered time we shall delight our eyes with the fantastic beauty of that true armory, chief tirewoman to those dead years which once went in scarlet with ornaments of gold on their apparel.

OSWALD BARRON.

THE VALUE OF ANCIENT DEEDS¹

OF the great series of medieval Calendars now being issued by the Public Record Office none, probably, will be more welcome to the student of county history, indeed to all genealogists and topographers, than the *Catalogue of Ancient Deeds*. The salient feature of this Catalogue is the novelty of the information to be found within its pages. For while the various 'rolls' in our priceless national collection have long been familiar to antiquaries, who have made copious use of them, the deeds here calendared have remained for practical purposes unsorted and all unknown. The two officers to whom we are indebted for this valuable volume are Mr. J. M. Thompson and Mr. A. Story Maskelyne, the latter having prepared the really notable indexes nearly four hundred columns in length.

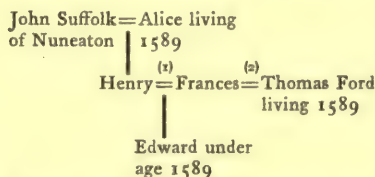
Whether we consider the scholarly care with which the abstracts of the deeds have been made, or the vast labour bestowed on identifying the places named in them, we have equal cause for gratitude to those who have given us this book. It is particularly satisfactory to find that the existence of seals is always noted;² and, although the description of arms is not within the compass of the Catalogue, the deeds can always be examined by those in search of such details as they are in public custody. Another merit of this volume is the care with which endorsements are recorded, for contemporary endorsements often throw a further light on a person or place mentioned in the body of a deed. Thus, for instance, the endorsement of A. 7358 identifies as 'Oggerum dapi-ferum' the 'Ogerus de Cabulian' who receives a grant, in this early undated deed, from Holy Trinity Priory, London, and who, it should be noted, has a 'clerk,' Edward. Now 'Oger Dapifer' (a name, by the way, omitted in the Index) was a man of some importance in the days of Henry II., one of that king's typical officers. With the assistance of A. 1878, 1978 in this series, which relate to his son and namesake, we

¹ *Catalogue of Ancient Deeds*, vol. iv. (Stationery Office).

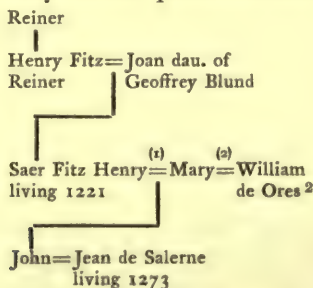
² For instance, we have Thomas Poynings, 'lord St. John,' using the arms of St. John in 1398 at an interesting period in the descent of the barony.

can now connect him with the Cornish 'Cabulian,' an important manor in Cardinham and Warleggon, of which the name is still preserved in Cabilla. His heirs appear to have held there by the serjeanty of presenting a cape of 'gresenges' when the king came into Cornwall. It would take us too far afield to trace Oger in Norfolk and in Suffolk, in London and in Kent, as in Devon and in Cornwall; but one may note that, although Mr. Maskelyne has made a special study of names, he is surely mistaken in giving cross references under 'Orgar' and 'Oger,' for the former was as distinctly a native as 'Oger' was a Breton name.

Among the families on which this volume is peculiarly rich in deeds are the Catesbys of Northamptonshire, famous in connection with 'Gunpowder Plot,' and the Cleres of Ormsby, Norfolk. From the twelfth century to the sixteenth, from barons of the realm to humble folk, these deeds lightly range. In 1310 we have the settlement on the marriage of John de St. Amand, of a race of barons, to Margaret daughter of 'Sir Hugh le Despenser the father,'¹ including manors in Ireland, Devon, Gloucestershire and Berks. In 1589 we find ourselves in Warwickshire, among yeomen and butchers, with a deed bearing the grantor's mark, which gives us this pedigree :—



Or again a few early deeds provide this descent :—



¹ This supplies an important correction, under 'St. Amand,' to *The Complete Peerage*.

² But this name is read as 'Cre' on p. 15, and indexed accordingly.

The deeds which give us this pedigree relate to the manor of Shenley, Herts, which passed from the above John to Adam de Stratton, and, on Adam's forfeiture, to the Crown.

One of the discoveries resulting from the publication of this volume is the origin of the famous (or infamous) Adam de Stratton. More than twenty pages of the preface to the *Red Book of the Exchequer* are devoted to the crimes and the career of this 'notorious' person, of whom we read in lurid words, more suggestive of the 'penny dreadful' than of the Master of the Rolls' Series, that 'behind this impenetrable mask there lurked a demon's strength of passion, an insensibility for human suffering, and a total disregard of every moral tie.'¹ The eventual forfeiture of all the possessions he had indefatigably acquired brought to the Crown a great mass of the title-deeds relating to them, of which a goodly number are found in the present volume. In spite of the elaborate treatment which he receives in the above preface, it is there confessed that 'of his parentage and education we know nothing, except that he was a clerk,' and that he 'was probably a native of the village of Stratton in Wilts.'² The first discovery that we make from these pages is that in the numerous deeds relating to his acquisition of lands he is styled indifferently Adam 'de Stratton' or 'de Argoges'; the second is that he appears in one of them as 'Adam the clerk son of Thomas de Argwillis of Stratton.' As it is evidently in the later deeds, that is, in those subsequent to the death of Henry III., that he is chiefly styled 'de Stratton,' we may fairly infer that when he began by buying land down in his native Stratton and the neighbourhood he was known by the name of his family, but that, up in London, rising to a position of official eminence, he was known by the name of the village from which he came. All such indications of the practice of the time in the matter of surnames are of distinct interest and value. The next point is the name of his father. Mr. Maskelyne boldly treats 'Argoges' and 'Argwillis' as identical. Hazardous as this might seem, it is possible to establish the fact that the family were indifferently called by either name.³ In 1166 Adam de Port returned among his knights Roger the son of Ralf and 'Odo de Argoges.' A deed of

¹ *Red Book of the Exchequer*, p. cccxxv.

² *Ibid.* pp. cccxv.-cccxvi.

³ Etymologically, however, the names, of course, are distinct.

Adam de Port calendared in this volume confirms 'grants made by Roger son of Ralph his knight,' and its first witnesses are 'Odo de Arguill[is]' and Ralf his son; other witnesses are clergy from Stratton itself and the neighbouring parishes of Stanton Fitzwarren and Rodbourne Cheney. Again, in 1212 Ralf 'de Arguilla' (*sic*) holds 'Strattone per dimidium feodum, de eschaeta Adæ de Port, in Kintone'¹; and Ralf 'de Aigville' (who is indexed as a separate person by the editor) is entered as holding 'dimidium militem in Strattone' of the 'Honor de Kingtone quod fuit Adæ de Port.'² We see then that Adam de Stratton was a member of a family which had held by knight-service, for some generations, at Stratton St. Margaret's, and had been known indifferently as 'de Arguges' (or 'Argoges') and 'de Argwillis.' Argouges, one may add, is on the Breton border in the south-west corner of Normandy, while Argueil (if that is represented by Arguillis) lies in its extreme east.

To the genealogist the indentures of marriage will doubtless prove the most attractive documents in this great collection. A deed of 16 December, 1438, shows us an agreement made at Lanhadron, Cornwall, between 'Rauf Reskymer, squyer,' and Thomas Arundel, knight, by which Ralf's son William is to marry 'Felyp' daughter of Sir Thomas and Lady Elizabeth his wife. Sir Thomas is to have the 'kepyng and the governance' of them 'tille that thei kune rewele ham by reson and discrecion,' and if 'Felyp' dies before the marriage William is to marry her sister Elizabeth, so that we seem to be dealing with a case of child-marriage. 'Dame Johaan the wif of Thomas Carmynou squyer' is also mentioned in the document as living, and Sir Thomas buys the marriage for his daughter for £66 13s. 4d. *plus* a promise to prosecute a suit in Ralf's name for the manor of 'Cabilye,' which if recovered is to be settled on the young couple after the knight has recovered his costs out of it;³ a truly businesslike arrange-

¹ Ibid. p. 489. I have been able to show elsewhere (*Genealogist* [N.S.], xvi. 10, 12) that the place in question is Kington, Herefordshire, though in one place it is identified by Mr. Hubert Hall as 'Kington, co. Dorset' and in another as somewhere or other in 'co. Wilts' (*Red Book of the Exchequer*, p. 1224). Such is 'Advanced Historical Teaching'!

² Ibid. p. 600.

³ The estate seems to have been still in dispute in 1490, according to A. 10181, in which the place occurs as 'Cabyle.' Mr. Maskelyne, I see, makes it 'Carbilly' so it cannot be the 'Cabilla' of which I have already spoken.

ment, it must be admitted. A deed of about a month later (A. 10331) records that Ralf has duly handed over his son to Sir Thomas to be married to his daughter Elizabeth (not 'Felyp') and had settled on them lands worth £10 a year 'yn the manerys of Trelewyth bysydes Redruth and Hellugan' and in other places. Another marriage indenture relating to the same family is that of 13 December, 1498, 'made at Tretherff wythyn the Counte of Cornwall,' by which John Reskymer, Esquire, undertakes to marry Katharine daughter of John Tretherff the elder, Esquire, who is bound down to settle on them lands to the amount of £4 (!) a year, to pay his son-in-law £40 on the marriage, and to 'bere the hole charge off mete and dryng at the day of maryage.' A further illustration of the businesslike aspect in which marriage was regarded by our forefathers is afforded by the deed of the same family some two centuries earlier, when Richard de Reskemer sells to Alice widow of Randulf de Tynten, in full county court at Lostwithiel (1288), 'the marriage and wardship of the body of Joan daughter and heir of John son of William Durant' for £6 13s. 4d.

The earliest of the marriage agreements in this volume, it would seem, is that of 1240, by which William de Trompinton and Amicia his wife undertake to marry honourably Maud daughter of Christian de Drayton within two years, unless by her own fault (*nisi per eam steterit*), or, in default, would give her 2 virgates in Drayton, claimed by their daughter Parnell. With another thirteenth century indenture we return to Cornwall, for this document recites that Thomas de Tre-lanvighan has married his daughter Nichole (*Nicholaa*) to Paschasius de Treredenec, whose Christian name suggests the Cornish 'Pascoe.' If the said parties were unwilling or unable to live together at Tredinnick as stipulated, then Master Ralf de Treredenec was to give them certain crops and beasts and 'half the household implements, except copper and brass vessels, silver and china cups and spoons, books, money and jewels; so that they could set up house where they pleased.' The articles mentioned are almost startling, considering the position of the parties, at so early a date as 1295. An interesting example of the ancient practice of assigning dower at the church door is afforded by A. 9846, an indenture of 1437, in which William Pollard assigns to 'Elizabeth doghtyr of Hewe Lamplew at the tyme of esposelys halowyd and made

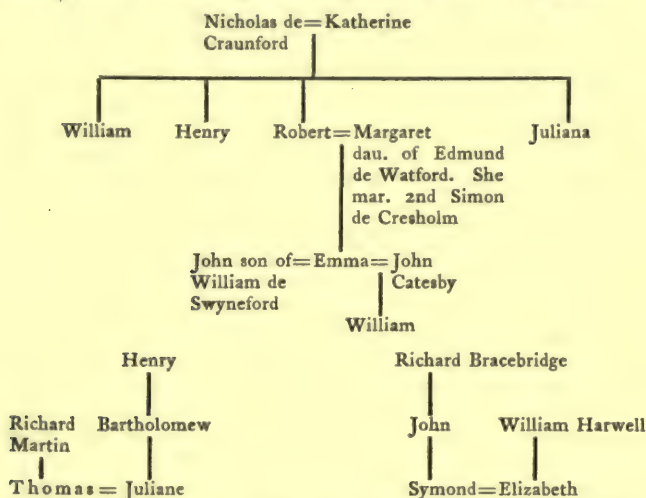
be twyx me and hyre at the kyrke dore of Seynt Olave be syde the Abbey of Seynt Maryis of York 'certain tenements for her life 'in the name of all hyre dower.'

An agreement of 1420 is found both in French (A. 8470) and in Latin (A. 10408) with slight variations. Attention may be directed to it, because in the English version the latter Richard Ryvell, the prospective bridegroom, is described as 'son-in-law' of William Attilbrough, the mayor of Coventry; the abstract of the French one (to which we are referred) styles him 'stepson' (*fiz en ley*). This is obviously a point of some importance to genealogists, and we think that 'stepson' would be right in both cases, for Richard is expressly referred to as son of Joan, William's wife. One more of these indentures may be mentioned because of its importance for county history. In June, 1401, Nicholas 'Benton,' ancestor of the Wiltshire house of Baynton, makes a settlement on the marriage of his son Nicholas with Joan daughter of Sir John Roches, knight, and 'Willeame' his wife. This marriage had a great effect on the fortunes of his family, and the indenture affects manors in four counties, one of which (in Sussex) is ingeniously identified by Mr. Maskelyne.

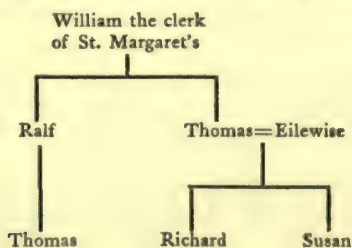
The most remarkable of the earliest deeds dealt with in this volume are those relating to the Priory of Holy Trinity, London, of which the Record Office possesses an extraordinary number belonging to the twelfth century, but there is one document belonging to a house in the neighbourhood of what is now familiar as Charing Cross. This is a grant by 'Turolde warden of the leprous maidens (*infirmarum puellarum*) of the hospital of St. James by Charing (*Cherringam*) and the brethren and sisters of the same place.' It is apparently of the reign of Richard I., and the first witness is 'Henry son of Ailwin, mayor of London,' whose name occurs several times in this volume. One of the Holy Trinity deeds illustrates the origin of the name 'Soper,' for in it 'Richard de Essex le Soper (*soparius*)' bestows upon that house a rent from his two shops (*sopis*) in Cheap. We are not, however, quite satisfied that the Latin should be rendered 'le Soper,' as it also is in A. 7296. But names with Mr. Maskelyne are clearly a favourite hobby, and the long section of his index of subjects which he devotes to their origin from occupations or other sources will be found of much interest. One may call attention, by the way, to the name of 'Peticru, Petticrue, Petecru,

Petigrew, Pedecru, Petycru, Pedycru' (as the variants are arranged by Mr. Maskelyne), because its origin is surely to be found in that 'crane's foot,' which from its shape, as I have elsewhere explained, gave name to the 'pedigree' which, at first, resembled it in form. A confirmation by Alan de Bloyou, lord of Treyndwal, of a release made by Sir Ralf Bloyou his father to Robert de Brevannek, son of Clarice, in frankmarriage with Rose, Ralf's niece, brings before us a curious name, which can be traced back in Cornwall to the Conqueror's day.

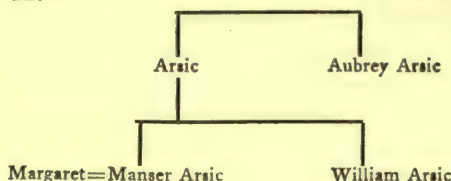
As examples of the little pedigrees supplied by some of these deeds, the following, perhaps, may be acceptable.



In the case of this last pedigree the deed (Mich. 1493) informs us that John Bracebridge, Esquire, settles lands in Warwickshire on his son and undertakes to provide him with 'all maner apparell of the array' for his wedding day, while the bride's father makes himself responsible for 'all maner coste of metes and drynkes' on the same occasion. Two early Dover deeds supply a pedigree of three generations :—



Still earlier is the Arsic descent supplied by A. 6495, a document discussed elsewhere in these pages under the head of 'Castle-Guard.' 'Manser Arsic' was the baron of that name living under Henry II.



The name Aubrey suggests a connection with the family of De Vere; and it is observable that a Geoffrey Arsic held of Earl Aubrey in 1166 two knights' fees,¹ while a Guy de Vere was then holding, in succession to his father, of Roger Arsic under Manser Arsic.

Mr. Maskelyne's 'Index of subjects' enables us to discover the many points which his deeds help to illustrate. The most notable, perhaps, of these, is the constitution of a knight's fee in Winterbourne Bassett, Wilts. Walter de Dunstanville grants in fee to Reginald de Daivill, in Winterbourne Bassett, Wilts, '80 acres in one field and 82 acres in the other' (referring to cultivation on 'the two-field system'), provided for Reginald from his demesne, 'and delivered for 100 shillings' worth of land by the lawful oath of the men of that town, with pasture for the oxen of two ploughs, in common with his own oxen, and pasture for 200 sheep with his own sheep, to hold by the service of half a knight.' Further, Reginald is to do 'the full service of one knight, when, as he has promised, he shall have provided the said Reginald other hundred shillings' worth of land.' Here we have—apparently in the reign of Richard I.—the actual creation, in instalments, of a knight's fee. Its value, it will be observed, is only £10 a year, and its area singularly small. The land was clearly lord's demesne which had lain scattered, in acre strips, about the open 'fields,' and, to judge from the mention of the oxen, this land must have been reckoned as two ploughlands of some 80 acres each. With this deed may well be compared one of rather later date by which William Marshal, the great Earl of Pembroke, enfeoffs one of his household, Thomas Bassett,² in £10 worth of land in

¹ Compare *Geoffrey de Mandeville*, p. 190.

² He is mentioned as an English knight in *l'histoire de Guillaume le Maréchal*.

his manor of Speen, Berks, 'together with a whole yoke (*caruca*) of six oxen and two horses appraised at 60 shillings and 100 sheep appraised at 30 shillings'; the whole to be held by the service of 'one fourth of a knight.' Here we have an annual value of 10 pounds represented by the service, not of one knight (as in the previous document) but of one quarter of that service. We also note, as still in use, the great Domesday plough-team of eight beasts; and lastly we glance at the witnesses to this deed and recognize in the first Henry Fitz Gerold, a faithful knight of the great earl, who was present with him at his death,¹ and in the third John de Erley (as Mr. Maskelyne renders 'Erlega'), the now famous 'Jean d'Erlée,' as he is styled in the poem with which he was so closely connected,² who was, with Henry FitzGerold, one of the earl's executors, and who derived his name from Early in another part of Berks.³

Some disappointment has been expressed at the large number of undated deeds, of which the editors have not attempted to determine, from internal evidence, the date. But those who have most experience of such documents must be well aware of the confusion that may spring from an erroneous date and of the time and labour too often required to determine the right one. The rapid yet accurate cataloguing of so vast a collection of deeds must be the first consideration and this would be seriously hampered by the task of ascertaining their dates.⁴ Among the thousands of names in these pages an occasional slip is inevitable; but the only really serious error is the strange 'Gilbert son of Peter, earl of Essex,' who so appears in text and index; for 'Geoffrey Fitz Piers' (as he is usually called) is a well-known man.⁵ As there is no mark of extension, one is led to expect a scribal error, but this is not so; the document, we find, only gives the initial 'G.' The opening entry of the 'Index of subjects' ('Albemarle, inheritance of earls of, bought by Crown') also requires correction, for the inheritance was that of the Redvers family, Earls of Devon.⁶

¹ He is mentioned some half a dozen times in the French poem.

² See *l'histoire de Guillaume le Maréchal* (ed. Meyer), vol. iii. pp. xiv-xix.

³ *Testa de Nevill*.

⁴ *The Calendar of documents preserved in France*, vol. i. was greatly retarded by the heavy labour of ascertaining date-limits from internal evidence.

⁵ See *Dictionary of National Biography*, xix. 192-4.

⁶ See *Genealogical Magazine*, i. 1 et seq.

In place-names, 'Dudeno' and 'la Lee' might have been identified, occurring as they do in connection with Elmdon; 'Burnam' also is unidentified, but Mr. Maskelyne may have reasons for rejecting its identity with Westbourne (*Burna*).¹ These, it will be seen, are trifling emendations in a work of such dimensions as this. If we were to venture a suggestion it would be that the names of all the witnesses should be printed, but this has doubtless been duly considered and sufficient reasons given for the course adopted.

J. HORACE ROUND.

¹ See my 'Henry I. at "Burne"' (*Eng. Hist. Rev.* x. 536).

THE BARONS' LETTER TO THE POPE

IN the "Lords' Reports on the Dignity of a Peer" considerable attention was devoted to the document which forms the subject of this article. For Cruise, in the first edition (1810) of his well known treatise on dignities, had asserted that 'the most ancient proof of a sitting in Parliament is the letter written by the Nobles in Parliament in 29 Edw. I. to the Pope, respecting the sovereignty of Scotland,' although in his second edition (1823) he considerably modified this assertion, stating that 'the letter to the Pope is not now held to be authentic.' The Lords' Committee took every pains to secure exactness of text in the version they printed, and, while disposed to treat the document as a copy rather than an original,¹ they went so far as to record this guarded conclusion :—

Attempts have been also made to use these Instruments for a further purpose, namely to prove a sitting in Parliament under a Writ. Perhaps they might be used for this purpose where the issue of the Writ itself can be shown; but the Committee apprehend that these Instruments under the circumstances stated, cannot properly be used both to prove the issue of a Writ, which does not otherwise appear, and also a sitting under such Writ. If the Instrument could be so used the heirs of Walter Beauchamp, styled Dominus de Alcester, whose name does not appear on the Roll of Writs for this Parliament, or for any prior or subsequent Parliament, till his descendant was created, by Patent, Baron Beauchamp of Powyk, might claim by descent a personal dignity of the 28th of Edward the First, insisting on these Instruments as proving both his Writ and his Sitting in Parliament.

This objection would apply also to 'Nicholas de Carru, dominus de Muleford,' whose appearance among the 'barons' of the letter was mentioned in the last number of the *Ancestor* and to at least four others, Richard Talbot, John de Hodeleston, John le Breton and John de Kingeston. Moreover there were eight more of the 'barons' who had not, at the date of this letter, ever been summoned to Parliament, and seventeen at the least who had not been summoned to that Lincoln parliament to which the letter is assigned. Thus there

¹ It is not generally known that there are, as explained below, two MSS. of this letter, both with seals of their own and both formerly preserved in the chapter-house at Westminster.

were fully thirty-one of the 'barons' whose names were affixed, for whom we shall look in vain among those summoned to the parliament in which their presence is supposed to be proved by the appearance of their names in this letter.

There would seem to have been an idea, at one time, of utilizing this document in support of the doctrine of barony by tenure owing to the curious territorial additions to the barons' names ; but these are now recognized to be arbitrary and of no importance.¹ It was not, indeed, till the present year that the admissibility of the Barons' letter in evidence, as proof of sitting, came definitely at last before the House of Lords. In the claim to the baronies of Fauconberg, Darcy (de Knayth) and Meinill, it was one of the two proofs of sitting relied on for the original Lords Fauconberg, and such was the importance attached to it that, in their 'Supplementary Case,' the claimants reprinted in full the lengthy observations on the subject by Sir Harris Nicolas, their counsel adding an elaborate argument to prove what no one, I believe, denies—that neither the letter nor the seals are a forger's work.

The real point at issue was not that of genuineness, but that of admissibility. Although Nicolas is styled in the 'Case' 'one of the most eminent of the authorities who have written upon Peerage Law,' it must be remembered that he was himself actively engaged in Peerage cases and that his whole argument on the letter is an obviously partisan one. In the preface to his work will be found a passage which is not cited in the 'Case,' and which runs as follows :—

references will be found to the proofs which the printed Rolls of Parliament afford of the Sittings in Parliament of Barons of the Realm—an object of considerable importance to a work of this kind, because, without such proof, no title which originated in a Writ of Summons can be successfully claimed, or, in other words, can now be deemed to exist.² Under the same head some observations are submitted tending to establish that the Letter written by the Barons who were assembled in the Parliament which met at Lincoln in February, 1300–1, anno 29 Edw. I. should also be received as an undoubted proof of Sitting in Parliament ; and the very material circumstance that the

¹ They may perhaps be compared with the pseudo-titles of some earls derived, not from their county, but from their chief seat, as in the well known instance of 'Strigul' (Chepstow) being used as his title by the Earl of Pembroke.

² This doctrine, though well established, was challenged by the claimants in the above case.



I A



I B

admission of that Letter would establish the existence of many Baronies which must otherwise be considered to be extinct, will, it is expected, be thought a sufficient excuse for the space which has been devoted to it.

The significance of the closing sentence will not be overlooked.

When Nicolas' work was edited anew, as *The Historic Peerage* (1856), by Courthope, he pointedly observed in his preface that he had omitted—

the observations upon the Barons' Letter to the Pope . . . the Editor being of opinion that the absence of all proof of its having been forwarded to its destination, and of its connexion (except as to date) with the Parliament then sitting at Lincoln, must render it incapable of ever being received as a Proof of Sitting in Parliament on the part of those individuals whose names are thereto attached (p. vi.).

There the matter appears to have rested until the question, as explained above, was definitely raised in the present year.

As it was one of considerable importance, the Attorney-General addressed to the Committee for Privileges some observations on the admissibility of the letter as proof of sitting in Parliament, calling attention *inter alia* to the facts that it was not strictly a 'record of Parliament' and that its date, 12 February (1301), was nearly a fortnight subsequent to the close of the Parliament; for, in the words of Dr. Stubbs, 'on the 30th of January the knights of the shire were allowed their expenses and suffered to go home.'¹ In connection with this latter point he laid stress upon the word 'nuper' applied to the Parliament in the letter.

Meanwhile the letter itself was duly 'put in,' being produced by Sir Henry Maxwell Lyte, with all its interesting seals, and examined by the members of the Committee with great interest.

Here it may, perhaps, be convenient to quote from Dr. Stubbs' work his paraphrase of its contents and his account of the circumstances in which it came to be written:—

The Pope had now claimed Scotland as a fief of Rome and forbidden Edward to molest the Scots. This extraordinary assumption, made in a bull dated at Anagni, June 27, 1299, Edward determined to resist with the united voice of the nation. He had received the bull from Winchelsea at Sweetheart Abbey in Galloway on the 27th of August, 1300, and, in acknowledging the receipt, had re-asserted the principle already laid down in the writ of 1295,

¹ *Const. Hist.* (1875), ii. 151.

'it is the custom of the realm of England that in all things touching the state of the same realm there should be asked the counsel of all whom the matter concerns.' He laid the bull therefore before the parliament at Lincoln, explaining that the pope had ordered him to send agents to Rome to prove his title to the lordship of Scotland ; and thereon he requested the barons to take the matter into their own hands. The barons complied, and a letter was written, briefly stating the grounds of the English claim and affirming that the kings of England never have answered or ought to have answered touching this or any of their temporal rights before any judge ecclesiastical or secular, by the free preeminence of the state of their royal dignity and by custom irrefragably preserved at all times ;¹ therefore after discussion and diligent deliberation the common concordant and unanimous consent of all and singular has been and is and shall be, by favour of God, unalterably fixed for the future that the king shall not answer before the pope or undergo judgment touching the rights of the kingdom of Scotland or any other temporal rights : he shall not allow his rights to be brought into question or send agents ; the barons are bound by oath to maintain the rights of the crown, and they will not suffer him to comply with the mandate even were he to wish it. This answer is given by seven earls and ninety-seven barons for themselves and for the whole community of the land, and is dated on the 12th of February.²

From this paraphrase is omitted the history which the king and his advisers, doubtless, had put in the barons' mouths, namely that the kings of England, since England was a realm, had, in the time of the Britons as of the English, been direct overlords of Scotland ; also the humble supplication to his Holiness that he would 'kindly permit' a king devoted to the Roman church to enjoy his rights in peace.

It is not known if this letter was ever actually despatched, but a new and a startling light has been thrown upon the character of the document by a discovery made, singularly enough, while its value as evidence is in question before the Committee for Privileges.

When consulted on the subject I invited attention to the fact that the Parliament had broken up nearly a fortnight before its date ; but I did not venture to hazard the suggestion that some at least of the barons might have appended their seals elsewhere than at Lincoln, because, though they might conceivably have done so, there was no evidence whatever for so bold an hypothesis. But such evidence has since been discovered—by Major Poynton, I believe—and we owe

¹ But compare with this bold assertion my Appendix on 'The Appeal to Rome in 1136' in *Geoffrey de Mandeville* (pp. 250-61).

² *Const. Hist.* ii. 152-3.



II A



II B

our knowledge of the fact to Sir Henry Maxwell Lyte, who has been good enough to send it specially to the *Ancestor* for publication.

It will be observed that the last and most important of the three entries below is dated so late as 13 March, a full month later than the date given on the letter, and that only after the letter had been written and its despatch decided on were steps being taken to obtain the actual consent of some at least of the barons by getting them to append their seals.¹ This new evidence may be claimed as proof positive, at any rate, that the appearance of a baron's seal at the foot of this document is not evidence that the baron affixed that seal at Lincoln. We may go further and say that the letter now ceases to be evidence that any baron whose name appears on it was really present at Lincoln on 12 February, although it undoubtedly purports to assert that he was. The value of its evidence as proof of Sitting is thereby gravely affected.

The whole story of this Parliament needs also to be told anew, for Nicholas is shown by his own evidence to be wholly wrong in his conclusion, and even Stubbs, by a rare slip, seems to have gone astray. But this is rather a question of constitutional history, with which it will be more fitting to deal in another place.

J. HORACE ROUND.

The following entries concerning the barons' letter are from a contemporary wardrobe account now in the British Museum.

f. 32b. Laquei de serico et cera empt'. Domino Johanni de Wyntonia clerico pro laqueis de serico [et] cera viridi emptis per eundem pro quodam scripto sigillis magnatum Anglie signando et deinde ex parte regis et eorundem magnatum summo pontifici mittendo pro quibusdam negociis regnum Scocie contingentibus per manus proprias ibidem eodem die, xvs. vjd. et per manus Johannis de Flete ibidem xx die Februarii, ijs. Summa xvijs. vjd.

f. 37. Petro de Colingeburn pro uno equo badio empto de eodem et liberato domino Alexandro le Convers eunti versus partes Wallie ad dominum Edwardum filium regis principem Wallie et ad alios diversos magnates in March' Wallie pro quibusdam scriptis juxta ordinationem regis et ejus consilii ad Curiam Romanam mittendis et sigillis eorundem magnatum signandis, per manus ejusdem Alexandri apud Frome ls.

Domino Radulfo de Mauton pro uno somero nigro empto de eodem et

¹ I am prepared to show that other evidence confirms the existence of this practice, strange as it may seem to our minds.

liberato Alexandro le Convers misso per regem ad diversos magnates Anglie cum quibusdam scriptis regnum Scocie tangentibus summo pontifici per ipsum regem mittendis pro sigillis eorundem magnatum imponendis, per manus proprias apud Westmonasterium xiiij. die Marcii—vj. marcas.

H. MAXWELL LYTE.

THE SEALS OF THE BARONS' LETTER

[Two copies of the barons' letter are now in existence, both of them being in the custody of the Master of the Rolls. They were formerly in the chapter house of Westminster. When no note to the contrary has been made, it will be understood that the seal described is to be found upon the silken strings of both copies, which are referred to for convenience as A and B.]

I.

JOHN DE WARRENNE, EARL OF SURREY, whose name stands first in the famous letter, was a child when, in 1240, he followed his father in the earldom. In 1247 he was married to Alice de Lusignan, the king's half sister. This alliance made him the king's follower in his first struggles with the baronage, but under the influence of Simon de Montfort he wavered this way and that, fighting in the barons' army in 1263 against the Bishop of Hereford and ratting back with Henry of Cornwall before the year's end. In 1264 he held Rochester keep against Simon himself, and was with the right wing of the king's host in the battle fought hard by his own castle of Lewes. When the king was taken, Warenne, after fighting with the barons in the street of Lewes, fled to Pevensey Castle and from Pevensey to France, blamed by all the chroniclers as the man who deserted the Lord Edward in his need. He was back again in 1265, and was at Evesham when Earl Simon was broken by Edward. In 1268 he took the cross, but it is not certain whether he bore it over sea. The next year he had a suit in Westminster Hall with Alan la Zouche, and without waiting for the law to make an end of the quarrel, set upon his adversary with his followers and wounded him so that he died two months later. There was a line past which even this violent earl might not step, and Warenne rode hard for the shelter of Reigate Castle, pursued by the angry prince, who took him thence as a prisoner. But the Crown itself was not strong enough to take due amends from the Earl of Surrey, who came away



III A



III B



from Westminster Hall under sentence to pay a fine of 10,000 marks, a fine which was met so leisurely that the greater part was unpaid at his death.

This earl is remembered in the histories by his braggart answer to Edward I.'s commissioners who questioned his warranties under the writs of *quo warranto*, when Warenne showed them for warranty the ancient and rusty sword of his ancestors who had conquered the lands with it.

He was with Edward in his Welsh wars, adding to his great possessions lands which made him a lord of the Welsh marches, where he built the castle of Dinas Bran. In Scotland he took Dunbar for King Edward, and was warden of the kingdom in 1296. But he was lingering in England while Wallace was gathering force in Scotland, and when at last Wallace and he met before Stirling he cast away his vanguard in one blundering movement, and in the rout of his army rode away to Berwick in the same haste with which he had ridden away from Lewes. So great a lord must needs have another command, and he came back to Scotland to lead the rearward battle at Falkirk. He died at Kennington in Surrey on 27 September, 1304, and was buried in the church of St. Pancras at Lewes. His only son William had been killed in a Croydon tournament in 1286, and John his only grandson succeeded him. Of his daughters one was mother to the first Lord Percy of Alnwick and the other wife to John Baliol, King of Scots.

SEAL. The earl sword in hand on a galloping horse with trappers of his arms *checkered (gold and azure)*. The same arms are on his shield. He wears a long surcoat girdled at the waist, complete mail with a barrel helm and prick spurs. S' · IOH'IS · DE · WARENNIA · COMI[TIS] · DE · SVRREIA.¹

COUNTERSEAL. A shield of the arms. SIGILLVM · IOHANNI[S · C]OMITIS · DE · WARENNIA. The earl is often styled Earl Warenne by the writers of his time.

II.

THOMAS OF LANCASTER, EARL OF LANCASTER AND OF LEICESTER, and High Steward of England, was born about 1278, and in 1296 followed his father, Edmund Crouchback, in his two earldoms. On this seal he is styled Earl of Ferrers,

¹ The old fashion of this seal should be noted and contrasted with the newer fashions of the succeeding seals. It is the same with which the earl sealed in 1254.

for the reason that he inherited from his father the forfeited estates of Robert Ferrers, Earl of Derby. He fought in the Scots wars and bore the sword Curtana at the crowning of King Edward II. He married in 1294 a girl of eleven years of age, Alice de Lacy, the surviving daughter and heir of Henry, Earl of Lincoln, by Margaret his wife, Countess of Salisbury in her own right, and for the lands of these two earldoms Thomas did homage in 1312. The story of the life of this lord with five earldoms is the story of his stubborn malice against his king. The accomplished knight from Gascony whom the king had made Earl of Cornwall had once worsted the Earl of Lancaster at a Wallingford tournament, and poor Gaveston's tournament gallantries were remembered by the sour and revengeful Lancaster until the day when he carried Sir Piers to Blacklow Hill, and there on his own lands had his head struck off. But Sir Piers' king kept a long memory under his follies, and in 1322 Thomas of Lancaster, a surrendered traitor, was led outside Pontefract and there beheaded with as short a shrift as had Gaveston. After his death the common people's fancy made a saint of this man who had served neither king nor country. More strangely still King Edward III., son of the man whom Thomas had made his life's enemy, asked thrice his canonization of the pope, but in spite of the three demands Thomas of Lancaster's name is not yet in the calendar.

SEAL. The earl sword in hand upon a galloping horse with trappers of his arms *the arms of England with a label of France*. His helm pointed at the top has an open-winged wyvern for crest above a flowing mantle. The same crest is upon the horse's head. S' · THOME · [COMIT]IS · LAN[CASTR]IE · LEYCESTRIE · ET · FERRARIIS.

COUNTERSEAL. A shield of the arms hanging from an oak bough and set between two wingless wyverns with tails sprouted with trefoils and ending each in a ball. [S'] · THOME · OOMITIS · LANCAS[TRIE · LEYCE]STRIE · E[T FERR]ARIIS

III.

RALPH DE MONTHERMER, EARL OF GLOUCESTER AND HERTFORD, in right of his wife Joan, Countess of Gloucester and Hertford, was a squire of the household to Gilbert of Clare, the Red Earl of Gloucester and Hertford who took the king prisoner at Lewes. The earl's widow was a great lady by birth, being Joan of Acre, third daughter of Edward I. The earl died in December of 1295, within five years of his



VI A



V



VI B



VIII



VII



IX

marriage, and the Countess Joan married the handsome squire in secret, and had the king's pardon therefor. She died in 1307, and Ralph made a second clandestine marriage with a second highborn widow, Isabel le Despenser, the Earl of Winchester's daughter and the widow of John of Hastings. After the death of his first wife he is summoned to parliament only as a baron. He died in or before 1325.

SEAL. The earl sword in hand upon a galloping horse with his arms upon shield and trappers (*gold*) *with an eagle (vert)*. His eagle crest is shown upon the horse's head and was doubtless upon his helm, the point of which is now broken off RTFORD · KILKENI · & · D'NI · GLA

COUNTERSEAL. A shield of the arms between two wyverns M · GLOV'NIE · HERT[FOR]D

IV.

HUMFREY DE BOHUN, EARL OF HEREFORD AND OF ESSEX AND CONSTABLE OF ENGLAND, was born about 1276. The year after he set his seal to the barons' letter he married Elizabeth, daughter of Edward I. and widow of John, Count of Holland and Zeeland. He was one of those lords who led Piers Gaveston to Blacklow Hill, and was prisoner to the Scots after Bannockburn, so great a prize that King Robert's captive wife was changed for him. As he had stood against Gaveston so the earl stood against the Despensers and so came by his end, being killed in arms against the king at the battle of Boroughbridge in 1322.

SEAL. The earl upon a galloping horse, sword in hand. The shield and horse-trappers bear the arms of Bohun, which are (*azure*) *with a bend of (silver) and cotises of (gold) between six (golden) lioncels*. The helm has a fan-crest, and a like crest is upon the horse's head. S' H · DE · BOHVN · COMITIS ET · 9STABVLAR' ANGL'.

COUNTERSEAL. A shield of the arms of Bohun, hung by a strap from the back of the Bohun swan. On either side is a shield with the quarterly shield of the old earls of Essex, with a trefoil above each shield. S' HVMFRIDI · DE · BOHV[N · COM]ITIS · HEREFORDIE · ET · ESSEXIE.

V.

ROGER BIGOD, EARL OF NORFOLK AND MARSHAL OF ENGLAND, was born in 1240. This earl, with Humphrey, Earl of Hereford, led the baronage in its long struggle with the Crown. He is remembered for his rough refusal to serve beyond sea out of the company of the king. 'By God, earl,' said the king, 'you shall either go or hang.' 'By God, king,' answered the earl stoutly, 'I will neither go

nor hang.' In 1301 he made the king his heir, for reasons which have never been explained, but which some would explain by assigning to the earl an important but unrecognized place in the royal pedigree. He died in 1306 without issue, although he was twice married.

SEAL. A shield of the arms *party (gold) and (vert) with a lion (gules)*.
SIGILLVM · ROGERI · BIGOD.

VI.

GUY DE BEAUCHAMP, EARL OF WARWICK, so christened in remembrance of Guy of Warwick, the fabled forefather of the earls, was born in 1278. He gained great honour at Falkirk in 1298, for which he had lands in Scotland. In 1310 he was one of the lords ordainers, and in 1312 he was one of those five who seized Gaveston and took him the first stage of that journey to Blacklow Hill. Gaveston in years gone by had called him 'the black cur of Arden,' an epithet which with the black cur's teeth in him the unhappy Piers doubtless called to mind. In 1318 he died at his castle in Warwick by poison, as it was said.

SEAL. The earl sword in hand upon a galloping horse. On the shield and horse-trappers are the arms of Beauchamp (*gules*) *a fesse and six crosslets (gold)* . . . GW[IL]DON' DE · BELLOCAM . . .

COUNTERSEAL. A shield of the arms of the old Earls of Warwick *checkered (gold and azure)* with a *cheveron ermine* hanging between two leopards.
..... AMPO · COM' WARREWYK ..

VII.

RICHARD FITZ ALAN, EARL OF ARUNDEL, was born in 1267, and was summoned in 1291-2 as Earl of Arundel. He was in the Welsh and French wars, and was at the siege of Caerlaverock in 1300, where the poet saw him, 'beau chivalier e bien ame,' richly armed in red with a lion rampant of gold. He died in 1302 in his thirty-sixth year.

SEAL. The earl on a galloping horse, sword in hand. Upon the shield and horse-trappers the arms of Fitzalan—(*gules*) *a lion (gold)*. SIGILLVM · RICARDI · COMITIS · DE · ARONDEL

VIII.

AYMER DE VALENCE, EARL OF PEMBROKE, Lord of Wexford, of Valence and Montignac, son of King Henry III.'s half brother William de Valence, was born between 1260 and 1265. He was at Caerlaverock with his 'fair banner' of silver and azure burelly with the red martlets in its border. He was guardian and lieutenant of Scotland in 1307 and 1314



X A



X B

and guardian of England in 1320 when the king was overseas. He died without issue in 1324 and was buried under the beautiful tomb which remains in Westminster Abbey.

SEAL. A shield of the arms of Valence—*purelly (silver) and (azure) with an orle of martlets of (gules)*. Amongst the sprigs at the sides are two martlets.
SIGILL' ADEMARI · DE · VALENCE.

This seal has been smashed in the B copy of the letter.

IX.

HENRY OF LANCASTER, LORD OF MONMOUTH, and afterwards Earl of Lancaster and Leicester, was born about 1281, and was next brother and heir to Thomas, Earl of Lancaster, whose seal is the second to this letter. He was one of those barons who stood in the field against Edward II., who was sometime his prisoner. He died in 1345, having been long blind.

SEAL. A shield of his arms of Lancaster, which are those of England with a baston (of azure). The helm has a little mantle and a crest of a winged wyvern or dragon, and two like monsters are displayed at the side in guise of supporters. S' HENRICI · DE · LANCASTIR · DOMIN[O] D[OM]E · MONEMVTA.

X.

JOHN OF HASTINGS, LORD OF BERGAVENNY, was born in 1262, son and heir of one of the barons of Montfort's parliament. On the death of his uncle George de Cauntelowe the great lordship of Bergavenny came to him by inheritance, and he was summoned as a baron in 1295. He was seneschal of Aquitaine in 1309. He died in 1313 and his second wife, a Despenser, who survived him, married Ralph Monthermer, the third sealer of the letter.

SEAL.¹ A shield of arms—a cross between four fleurs de lys with five fleurs de lys upon the cross.

COUNTERSEAL. A shield of arms—a cross with five fleurs de lys thereon [as on the obverse] between a leopard in the first and fourth quarters and a lion in the second and third quarters. The shield is set between two dragon-like monsters.

XI.

HENRY DE PERCY, LORD OF TOPCLIFF in Yorkshire, was third son of Henry de Percy, and was heir to his elder brother John in 1283-4. He was of full age and had livery of his brother's lands in 1293-4. He fought in the Scots wars and

¹ A note upon this curious seal and an attempt to elucidate its bearings and inscriptions will appear in a later issue of the *Ancestor*.

was at the battle of Dunbar. In 1309 he bought of Anthony Bek, the Bishop of Durham, the castle of Alnwick, which was to be so long in the hands of his descendants. He died in 1315.

SEAL. The baron upon a galloping horse, sword in hand. His shield and horse-trappers bear the arms of Percy—the shield which they took on abandoning their more ancient one of the indented fesse—(*gold*) with a lion (*of azure*) SIGILLVM · HE[NR]IC[I] DJE · PERCI.

COUNTERSEAL. A shield of the arms. SIGILLVM · HE[NRIC]I · DE · PERCI.

This seal remains only to the A copy of the letter.

XII.

EDMUND DE MORTIMER, LORD OF WIGMORE in Herefordshire, succeeded his father in 1282 when he was of full age. He fought in the Welsh wars, where he got his death at the battle of Builth in 1304.

SEAL. A shield of the arms of Mortimer, which arms are blazoned in the roll of arms generally called the Parliamentary Roll as *barre de or e de azure od le chef palee les corners geronne a un escuchon de argent*. S' EDMVNDI · DE · MORTVO · MARI.

XIII.

ROBERT FITZ WALTER, LORD OF WOODHAM in Essex, succeeded his father in 1257, being then aged ten years. He was grandson of Robert fitz Walter, the first of the Magna Carta barons. He was a distinguished soldier in France, in Wales and in England, and was summoned as a baron in 1295. He died in 1325.

SEAL. A shield of the arms of fitz Walter, which are (*gold*) with a fesse and two cheverons of (*gules*). The seal bears no legend.

XIV.

JOHN ST. JOHN, LORD OF HALNAKER in Sussex and of Basing in Hampshire, was the heir of Hugh de Port who held Basing and fifty-four other lordships in Hampshire at the general survey. He was lieutenant of Aquitaine and fought in the wars in Gascony, being sometime a prisoner in Paris. He died in 1301, soon after the sealing of the letter.

SEAL. The knight sword in hand upon a galloping horse with the arms of St. John (*silver*) a chief (*gules*) with two pierced molets of (*gold*), upon shield and horse-trappers. The helm has a crest of a leopard standing between two palm-branches, which is set upon the horse's head also. S' IOHANNIS · DE · S'C'O · IOHANNE · D'NI · [DE · HAN]NAK.

COUNTERSEAL. A shield of the arms between two wyverns S' IOH'IS · DE · S'C'O · IOHANNE.

(To be continued.)



XIA



XI B



XII



XIV B



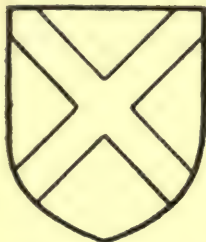
XIII



XIV A

OUR OLDEST FAMILIES

THE NEVILLS



OF the great English houses which warring with our ancient kings, broke themselves against the sovereign power, Nevill alone stays in the saddle in an acknowledged line, with an old barony to which has been tagged a Georgian earldom and viscounty and a new Victorian marquessate. To these, were it not for the rising in the north country in 1569 and the consequent attainder of Charles Nevill, the sixth earl, might have been added the earldom of Westmorland, an historic title dating from the fourteenth century.

Nevill bears one of those oversea surnames which persuaded Defoe that our boasted English nobility sprang from foreign mercenaries. But not the least interesting side of the great story of Nevill is shown us when we see that this French surname covers a race English bred and born.

The forefather of Nevill was Uchtred, whose name we have and nothing more of him. Dolfin son of Uchtred we know. He had Staindropshire from the prior of Durham in 1131,¹ King Henry I. then reigning in England. When he did his homage to the prior of Durham for Staindrop he reserved the homage which he owed to the kings of England and Scotland and to the Bishop of Durham. Therefore Dolfin son of Uchtred and forefather of Nevill was a great man and doubtless a highborn Northumbrian. More than this we cannot say, although other genealogists have been less timid. For Dugdale as for Mr. Evelyn Shirley, Dolfin son of Uchtred was Dolfin son of Earl Gospatric; but such guesses are based upon the ancient and approved methods of the genealogists, whose rule that bearers of the same name might be treated as one and the same person carried them on to genealogical successes which we may envy.

¹ Feodary of the priory of Durham (see *Feudal England*).

Dolfín's grandson, Robert son of Maldred, makes the match which gives the Nevills their name, mating with Isabel de Nevill, daughter of Geoffrey de Nevill by the heir of Bertram de Bulmer,¹ and sister and heir of Henry de Nevill. Henry had been in arms with the barons against King John, but had made his peace, giving hostages for his good faith. It has been denied that the name of Nevill occurs in Domesday Book. Ralph de Nevill is however found therein amongst the Lincolnshire *clamores*. Thereafter we find many Nevills, and from these the older genealogists have chosen for themselves fitting ancestors for Westmorland and Warwick. Gilbert de Nevill has been elected patriarch—'Gilbert de Nevill who came into England with William the Conqueror, being at that time his admiral, as some of our genealogists have noted, though there be no mention of him nor any of that name in the great survey made by that king.' Thus Dugdale in his Baronage. The last part of the statement we have contradicted above, and the story of the admiral merits little consideration. Its origin is not far to seek. When in the middle ages the industrious shield painters began to imagine and set forth shields for Hector of Troy, Judas Maccabæus and King Lud, they did not forget the heroes of the great foray which King William made in England. Gilbert de Nevill, by that time made ancestor of the northern lords, has a shield of arms found for him, a shield bearing a ship, a *nef*, for a play upon his name. Doubtless the very men who had conceived the shield in their own wits were ready to deduce from it the tale that Gilbert, who would have borne such a shield had shields of arms been known in his time, was admiral of the ships of 1066. No such shield was borne by Isabel de Nevill's descendants, who made a red banner with a silver saltire the gathering sign of northern war. It may be hazarded that the dun bull of Westmorland, that sacred totem whose figure modern taste has taken from the walls of Raby to decorate a stable gateway, was borne for a memorial of the line of Bulmer.

Once founded at Raby the house grew in fame and power. Nevill became their name for ever, Isabel's son Geoffrey taking it to himself, the first surname which his line had

¹ Swereford's extracts from the pipe roll show Geoffrey de Nevill as heir in 2 Ric. I. of Bertram of Bolemer (probably in right of his wife). Henry de Nevill was Bertram's heir in 12 John.

borne. Under Henry III. the Nevill was out against the king, but his pardon was easily gained. The rough north country was a breeding ground of captains, and the Nevills saw Scottish war and war with France, John de Nevill being Richard II.'s lieutenant of Aquitaine, and boasting that in that post he had won and rendered to the king eighty-three walled towns and castles. This John's wife was a Percy of Alnwick, and from this marriage onward the house of Nevill began to throw out its famous branches of cadet lines, in one of which its highest honour was to rise and fall. John de Nevill's second son was Lord Furnival in right of his wife, the heir of Furnival. A second wife of John de Neville was heir to Latimer and his son by her Lord Latimer, a title which afterwards came to a third son of the first earl. In Ralph Nevill, Lord Furnival's elder brother, the house was exalted. Richard II. made him Earl of Westmorland and Richard's supplanter Earl Marshal of England. He grasped many offices in his hands, and died a rich earl with a patriarchal family of at least two and twenty children, by whom the Nevills might ever after call cousins with all the great English barons. His first wife's children were married with Holand, Ferrers, Mauley, Grey, Lancaster, Dacre, Scrope and Umfravile. Then the earl for a second wife took Joan, John of Gaunt's daughter by Dame Katharine, and had a second family, which was to fly higher than the falcons of Raby. The sons of this second family matched with Montague, Fauconberg, Beauchamp of Warwick and Beauchamp of Abergavenny, the daughters with the Dukes of Buckingham and Norfolk, the Dispensers, Mountjoy and Riverses, and with the blood royal also when Cecily Nevill married Richard, Duke of York.

After this the story of the main line must be shortly told. The first earl was followed by his grandson Ralph, who married with Hotspur's daughter. Charles the sixth earl ended the line. He left no son by his Howard wife, and the rising of 1569 broke his fortunes.

Now spread thine ancient, Westmorland ;
Thy dun bull fain would we espy,

pleads the ballad singer, but before the Tudor power revolt withered away. The reins of the country were in strong hands at London. The dun bull standard was raised, but at the coming of Sussex with the forces of the Crown it fled

over the border, and the great Earl of Westmorland must needs skulk for his life like any wandering cateran. The Spaniards in the Netherlands received honourably this plotter against the island sorceress, but Charles Nevill, his earldom taken from him by attainder, never saw the Westmorland fells again, and died an old and unregarded man, 'meanly and miserably.' With what feeling can this old man amongst the Spaniards have learned from them that the great Armada, which would without doubt have set him again in his seat, had been scattered under the English cliffs.

It is telling an old tale, and that tale the history of our land of England, to rehearse the doings of the Nevills in those furious years of the fifteenth century, which saw the bloody end of our old nobility. Chief amongst those nobles was a Nevill. Richard Nevill, the eldest born of Earl Ralph's second marriage bed, a grandson of John of Gaunt and Earl of Salisbury in his wife's right, begot another Richard Nevill, Earl of Salisbury by birth, Earl of Warwick by marriage. A chronicler soon after his day called this Richard *regum creator*, and the King Maker he has been to us ever since. Hume styled him 'last of the barons,' and by this name too we remember him, thanks to Lord Lytton's faded novel whose title remains although the dull wool-work of its romance is not saved from the limbo of dead books even by the ridiculous imaginations of a writer who peopled England of the fifteenth century with 'Normans' and 'Saxons.'

A king maker he was, for it was the great Nevill power, with its wide kinship of earls and barons and the spears following it from uncounted lordships and lands, which plucked down Henry and set Edward in his place, which drove Edward abroad and thrust the sceptre again into Henry's feeble fingers. But in Edward of York Warwick had summoned up a spirit which he might not lay. Warwick's fame is the fame of a captain, and although nothing of a statesman he was an able minister of the old school, apt to set his enemies by the ears and to play one feud against another. Yet even in that moment when Edward lay between the paws of the bear, an uncrowned king, Warwick's fate was upon him. For that subtle mind outmatched the Nevill at every point, and when on the Easter morning of 1471 the king's army found Warwick on the Barnet field, the prancing and thrusting tactics of the middle ages were in vain against the generalship of a king

who moved his host as men move pieces at the chess play. The chronicles and ballads have the tale to tell. In the white mist which the wizard had summoned up Warwick's brother died in the sword play, and the King Maker took horse and fled before the king he had made. Commynes tells us that the great earl never loved to venture on foot amongst the spears, but would ever have his horse by him to avoid in time ill fortune of war. But Barnet was his last throw against a master of the dice, and no horse might save him. He rode so far as the nearest cover of woodland, but there he was caught up with and butchered under the boughs with the few who followed him.

After this the ragged staff was broken. Warwick's own line was crushed out. Of his daughters Isabel had married Clarence, who went childless to the malmsey butt. Anne her sister, married in the cockpit of our history to Edward, Prince of Wales, took for a second husband Richard of Gloucester, whose dagger had widowed her, and bore to him an Edward, Prince of Wales and Earl of Chester, who died before Bosworth could take those dangerous titles from him. So scattered were the vast possessions of the younger house of Nevill that George, Duke of Bedford, Warwick's nephew, was degraded from all his honours by a parliament which declared that dukedoms and marquessates were no trinkets for a landless man without a penny to chink against another.

One line only of the descendants of the first Earl of Westmorland remains to be reckoned with. His descendants in the female line by his two-and-twenty children must count amongst themselves every Englishman with a drop of gentle blood in his veins. Like Edward I. he is the father of all of us, an ancestor to hall and cottage. But the Nevill name goes on through his fourth son by John of Gaunt's daughter. For Edward Nevill a wife was found, a Beauchamp with the barony of Bergavenny for her portion. This Edward fought beside Warwick at Northampton for Edward of March, but Edward once crowned kept Edward Nevill's allegiance to the end, and the Lord Bergavenny arrayed the men of Kent against Richard, Earl of Warwick. The Nevill strength was too unwieldy to remain whole.

His son George, knighted at Tewkesbury, was a fortunate soul or a politic one. He steered his bark safely through the chopping waters of the war, attended Richard's crowning and

held a military command in the army which Henry Tudor sent to Calais.

The third Lord Bergavenny was a Knight of the Bath when Richard was crowned, but he too saved himself alive under the new dynasty. He was a soldier at Boulogne and in the field of the spurs, and died in his bed although twice in prison upon suspicion of treason. He handed down his lands to his son although he had been amongst the wasteful lords who followed Henry to the Field of Cloth of Gold. The fourth lord saw prison walls once for striking the Earl of Oxford in the presence chamber of Edward VI., but he helped rout Wyatt's rebels for Queen Mary and died in the peace of Queen Elizabeth. His only daughter Mary would have carried the Bergavenny barony to the Fanes, but it was adjudged to the heir male, one Edward Nevill, son of a Sir Edward, whose fortune had not carried him through the perilous Tudor times with his head safely on his shoulders.

History here takes leave of the Nevills, but genealogy carries them to our own day. They breed no more plotters or partisans. The thirteenth Lord Abergavenny dies commodore of a squadron on the Virginia station, the fourteenth is master of the jewel office. The fifteenth lord is created in 1784 Viscount Nevill and Earl of Abergavenny.

The fifth Earl of Abergavenny is to-day Marquess of Abergavenny and Earl of Lewes in the United Kingdom, Lord Lieutenant of Sussex and Knight of the Garter. He is descendant in the male line of Dolfin of Staindropshire, the son of Uchtred, and that line runs through an uncle of the King Maker. With such a pedigree no other in the peerage books may be matched.

O. B.

WILTSHIRE NOTES AND QUERIES¹

THE last few years have seen the beginning and ending of many magazines and reviews dealing with the archæology of single counties of England. That the counties for the most part should give them lukewarm greeting is not to be wondered at. The country itself hardly affects an interest in its own past history, and the county Notes and Queries, or Archæological Magazine, supported as it is by the enthusiasm of some single antiquary without following or support, soon withers away.

Such a provincial magazine has the choice of two fates. It may live by the work of its own editor, as did the *Hertfordshire Genealogist*, whose three volumes represent years of skilled record work by Mr. William Brigg. Mr. Brigg was reckless of the delicate digestion of 'the general reader.' He filled his useful pages with the strong meat of accurate record abstracts, gave Hertfordshire a well indexed and accessible body of information concerning its ancient family history, and left the county before many of its amateurs of archæology had become aware of the existence of his work. As Mr. Brigg was in his own person the Hertfordshire genealogist, the journal of that name ended with his removal to Yorkshire, and the work has never been taken up by others.

A lingering end has taken other journals which have not wanted for contributors. A certain space has to be filled month by month or quarter by quarter, and there have been editors who have counted it discourteous to refuse asylum to any screed which a respectable dullard may have inked out upon paper. Threadbare commonplaces from Chambers' *Book of Days* or Brand's *Popular Antiquities* have stood for folk-lore; misunderstood scraps from the county history for genealogy; tombstone doggerel and the familiar sillinesses concerning the origin of the signs of the 'Goat and Compasses' and the 'Swan with Two Necks' for original researches. Books for review have

¹ *Wiltshire Notes and Queries*: An Illustrated Quarterly Antiquarian and Genealogical Magazine (George Simpson, publisher, Devizes).

been received with grateful surprise. A Yorkshire editor reviewed a quack medicine pamphlet at some length as a work commendable to Yorkshire antiquaries for its science and its morals, and the older series of the *Reliquary* marked its decaying days by its enthusiastic criticisms of the specimen Christmas cards sent its editor by a London fancy stationer, illustrations being afforded of the more striking examples. We have known an archæological journal made the means whereby a local rector might make known to his friends and neighbours his satisfaction with the Holy Land which he had surveyed, *auspice Cook*, in his vacation holiday, and such a journal may form an invaluable receptacle for those views upon Mosaic geology or the measurements of the great pyramid which most editors are in conspiracy to suppress.

Wiltshire is amongst those counties which have succeeded in nourishing for several years past a healthy and promising journal for its topographers. This is indeed as it should be, for Wiltshire to the antiquary is one of the inner sanctuaries of England. Under the editorship of Mr. Arthur Schomberg, the main lines upon which the work has been schemed are the only ones upon which a local antiquarian journal can hope to do good work. The articles and notes collected by him deal with Wiltshire to the exclusion of outlying parts of the wide world. Hashes of well known and accessible work have been refused, the door has been shut to the long-winded crank of the provinces, and books received for review have received critical notices.

On the other side much useful work has been done. Progress has been made with a calendar of Wiltshire feet of fines, with calendars of Wiltshire Quaker records, and with detailed pedigrees of local families. Many topographical notes are recorded, and some most valuable collections for the early history of Wiltshire parishes are appearing from time to time. An article on the Goodenoughs of Sherston gives some delightful entries from the account book kept by Francis Goodenough, an attorney, brother and companion of one whom the *Dictionary of National Biography* describes as 'Goodenough, Richard, flourished 1686, conspirator and attorney of bad repute, who contrived nevertheless to obtain the under-sheriffdom of London.' The two Goodenoughs were rioters, jury-packers and plotters. The breaking of the Rye House Plot, that 'horrid conspiracy,' drove Richard abroad ; but Francis, who had shared

his dangers, is found living in Sherston from 1710 to 1725, sitting peacefully under his own fig-tree and quarrelling with his gardeners. The entries are frank and full of rustic colouring. 'Lazy Roger Wicks' is paid 8s. for '1 week's sawing and loitering.' William Wimbow is paid, having finished the kitchen loft 'after a cobbling manner.' The same Wimbow makes a cupboard over the passage door, and leaving his work 'goes away like a K.' Four days afterwards he is back at his job, only to go away again, and when he would have made a new beginning Mr. Goodenough 'would not let him have his tools.' A day's work by David Rice is thus summed up by his employer: 'he digged some stones out of the bowling green garden, gathered some kidney beans and threw a little earth into the Quar and watered the horse twice.' A second Wicks shows himself true brother to lazy Roger by counting three hours to his dinner hour. 'He saies there is 14d. yet due to him.' Mr. Goodenough adds, 'I say not.'

In turning the pages which deal with the medieval history of Wiltshire we are struck again and again by the curious welter of Latin and English which our English antiquaries employ in dealing with personal names. We have in a Latin indenture *Robertus Baynard* and *Jocosa Baynard* his wife. Upon what principle must *Robertus* be translated into English Robert, whilst *Jocosa* remains Latin *Jocosa* instead of accompanying him as English Joyce. Robert, John, William, all these become English, but Joan, Margaret, Isabel and the like remain clad in the Latin of the scriveners. This is most apparent in the notes upon the prioresses of Amesbury, where some Joans are Joans, and others Johannas. For such a name as *Sibilla de Montacute* there can be no excuse. *Sibilla* is *Sibyl*, even as she appears three lines lower down, and *Montacute* is neither Latin nor English, but a guesswork translation of *de Monte Acuto*, which is in English Montagu.

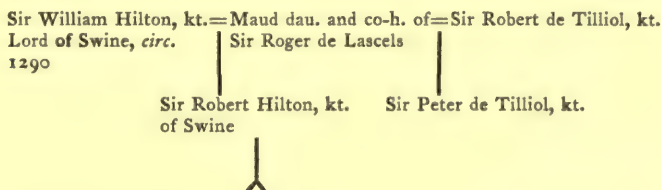
To these notes upon Mr. Schomberg's work for Wiltshire we have but to add that all is made useful to the genealogist by the adding of a good and complete index of names, which should be for an example to other editors of such journals.

LETTERS TO THE EDITOR

THE TILLIOLS

In his instructive article on this family¹ Mr. Wilson observes (p. 94) that 'A large property in Yorkshire came to the family by Robert's marriage with Maud second daughter and co-heiress of Roger and Isabel de Lauceles of Ellerton in that county,' citing 'Close Rolls, 16 Edw. II. m. 23; 17 Edw. II. m. 33.' It may not be amiss to correct the slight slip here involved, for its cause is a snare against which genealogists have to be always on their guard.

The marriage in question is correctly given in a pedigree of Hilton of Swine in Poulson's *Holderness* (ii. 197) as below.



Further particulars will be found in *The Topographer and Genealogist*, i. 217-9. There will there be found a deed of Maud, as widow of Sir Robert de Tilliol, kt., dated 1324, with an illustration of its interesting seal, showing three shields meeting in base; the coats are Lascelles (afterwards adopted by her heirs, the Hiltons), Hilton and Tilliol. As the Tilliols were only descended from her second husband, they could not share in the Lascelles inheritance, which comprised Escrick, Kirby-under-Knoll and Scruton.

J. HORACE ROUND.

DURHAM FAMILIES

SIR,—

The 'Notes on some Durham Families' published in the last number of the *Ancestor* has induced me to point out an

¹ *Ancestor*, iv. 88-100.

error in one of the pedigrees in Mr. Surtees' *History of Durham*, which may be of interest to G. B.

In Mr. Surtees' pedigree of the Pembertons of Aislaby it is stated that Sarah, daughter of William Pemberton of Darlington, married George Pinckney, and that they died s.p. This is quite wrong, for they had six children, three sons and three daughters.

The three sons died under age and unmarried, and of the three daughters two died unmarried and one, Anne (eventually heir), married Thomas Simpson of Richmond, many of whose descendants are now living.

The probate copy of the will of George Pinckney, together with the releases to the trustees on the death of his sons, is in possession of Messrs. Lucas, Hutchinson & Co., solicitors, Darlington, and from these I have made some extracts.

The same error occurs in Mr. Longstaffe's *History of Darlington*, and as it is there stated that the pedigree was supplied by the late Mr. Robert Henry Allan (a descendant of Elizabeth Pemberton, Sarah's sister) it may be that the mistake was his, as he seems to have supplied Mr. Surtees with much county of Durham information.

Should G.B. be interested in the matter I shall be pleased to give him any further information I may be possessed of.

I am, sir,

Yours very truly,

C. E. PINCKNEY SIMPSON,

KIRBY MOORSIDE, YORKS,

LT.-COL.

2 May, 1903.

THE O'BRIENS IN HOLLAND

DEAR SIR,—

Though living abroad, I am a regular reader of your very interesting periodical, and as such I take the liberty of applying to you for a small space, in which to ask a question, trusting that either you or one of your readers may be willing and able to oblige me with the answer.

According to an old tradition handed down from father to son in my family, one of our ancestors, one Daniel Obrien, was an officer or possibly only a common soldier with the forces sent across by Queen Elizabeth in the year 1585 to assist the Dutch in their struggle against the Spaniards.

Up to the present day our coat of arms is the identical one borne by the Irish O'Briens. I have taken great pains to discover, over here in my native country, who may have been the father of the aforesaid Daniel, but although these investigations have brought to my knowledge a good many minor details, hitherto unknown to me, I was not successful in solving the principal mystery.

It strikes me that some extensive family history of the Irish O'Brien family might perhaps contain an allusion to, or possibly even some more definite information concerning a son who crossed over to Holland in 1585.

I should be very much obliged if you would kindly bring this case under the observation of English genealogists by publishing my letter in your much read periodical, and I offer you my sincere thanks in anticipation.

I am, dear Sir,

Faithfully yours,

H. G. A. OBREEN.

2, BREESTRAAT,
LEIDEN, HOLLAND.

EDITORIAL NOTES

MANY letters have reached us demanding an index of names occurring in the *Ancestor*. That index has been prepared some months ago, and a word of explanation concerning it may be needful. The *Ancestor* is sent out in bound numbers, and an index of names at the end of each number would delay its issue and create too many indices. Therefore it was decided to have one index only for the year, but this could not be made up until volume iv. had appeared. Rather than bind it out of its place at the end of vol. v. we have issued it separately in a stiff paper cover of the *Ancestor's* colours, and a single copy of it may be had for the asking by all who possess the first four numbers of our review.

* * *

So far as the limitations of our leisure will allow we are glad to assist our readers in questions concerning the subjects dealt with by the *Ancestor*. But to one class of questioning letters it is all but impossible that we can reply in detail. We speak of the letter which, written by one who is neither reader of nor subscriber to the *Ancestor*, demands an answer to the question whether the writer's pedigree has yet appeared in our columns. As though the *Ancestor* had set itself the task of compiling and printing the pedigrees of all English, Scottish and Irish families, and should by this time, having been founded in the spring of last year, have gone half way on its journey down the genealogical alphabet.

* * *

To our pride be it said, the *Ancestor* is read in the Shan States, in Buluwayo and in the Andaman Islands. It is ever our anxiety to spread our word by sea and land, but, nevertheless, we have been compelled to refuse a contribution which would have driven upward by leaps and bounds the respectable circulation which we enjoy in Seattle, Wash., U.S.A. A correspondent from that town asks us three questions: First, after a formula we are now accustomed to, have we published pedigrees (a) of his father's family, (b) of his grandmother's? Secondly,

he would put it to us that he, being aged 63½, a Harvard A.M. and a member of the U.S. Supreme Court Bar, and 'active in many ways,' has, following no doubt established custom in Seattle, Wash., had his 'biographical sketch' written. Would this biographical sketch attract the *Ancestor* to publish it in whole or part?

* * *

It is pleasant to know that in Seattle, Wash., the appearance of a biography in the *Ancestor* would be held a sufficient introduction to English fame, for our correspondent's third question asks us 'what biographical dictionaries or cyclopedias are now in preparation?' and how is he to obtain 'due mention therein'? Our contemporary *The Times* can and will gladly tell our correspondent more than we can about cyclopedias and handsome revolving bookcases, but about biographical dictionaries we can enlighten him. A harsh condition is as a rule exacted by the makers of these dictionaries, a condition which in Seattle, Wash., will be blamed as effete. It is that the candidate for 'due mention therein' should be dead. Therefore we cannot act as agent for the making universal of our correspondent's fame until we hear from his executors that he has duly fulfilled this preliminary condition. Then, as a Harvard A.M. and a member of the U.S. bar who has reached the age of 63½ the English speaking world shall ring with due mention of him.

* * *

The Scottish heralds made a brave show on the coming of King Edward to his castle of Edinburgh. The Lyon King and his officers, Ross, Albany and Rothesay, Unicorn, March and Carrick paraded before the castle gates, and at the approach of the royal carriage summoned the castle with high ceremony, March Pursuivant (Captain Swinton) smiting upon the castle gate with his staff—the first blow, it may be, which the gate has suffered since the wild highlander who followed at the tail of a flying dragoon of King George, drove his dirk into the wood.

* * *

The *Ex Libris Journal*, the organ in this country of those who collect book-plates, in an article which says many kind things of the *Ancestor*, comes back again to the controversy of the shield and the coat of arms. We quote the whole paragraph dealing with this matter.

The editor of the *Ancestor* has not succeeded in showing, if the arms were first borne upon a shield only, as he contends,—how the knight would have been recognised by those who happened to behold him from other points of view than upon his left front, when he was bearing his shield on his left arm, during his military engagements. If then, his surcoat did not also bear his armorial achievements, he would have been unrecognisable by friend or foe, and when his shield happened to be laid aside, who could have recognised him then? The opinion of all the most reflective writers is, that surcoats were adopted chiefly in order to distinguish between the knights engaged in the Crusades. It therefore would follow that the shield was only copied from the coat, and indeed the shield is sometimes found to reproduce only a portion of the bearings of the larger surcoat. (See the effigy of Septvans, which shows more ‘vans’ upon the coat than upon the shield.)

We agree with our critic that a knight bearing a shield of arms and having no vesture of arms upon his body would be recognized with difficulty by those upon his right front. But the critic’s question which raises this difficulty is really, our critic will observe, addressed rather to the primitive knight than to the editor of the *Ancestor*. Our own position is merely one of observation. We can produce a number of examples of very early shields of arms. For those who contend that the coat is more ancient than the shield it is needful that they should array for us as many examples of armorial coats of even earlier date. This Mr. W. Cecil Wade, we submit, has failed to do, and every one who has read his letter in the fifth number of the *Ancestor* will recognize that Mr. Wade has given time and enthusiasm to his search. If we are forced to answer and say in what manner the knight could have been recognized without his shield if he bore no coat of arms, we may reply that in such case he was perhaps unrecognizable and yet remain unmoved in our position. A sergeant in our own day bears three chevrons upon his right arm only. When his left side is turned to us he may be corporal or private for all our eyes can tell, but that the sergeant’s tunic is and has been so charged is matter of history and fact. The ‘reflective writer’ who would contend that the first of all sergeant’s tunics bore chevrons at front and back and on left and right sleeves must, to convince, find us the picture of that tunic in the book of military antiquities.

* * *

Some of those who have seen the earlier volumes of Messrs. Wedderburn and Cook’s definitive edition of the works of Ruskin may have wondered at the armorial display upon its handsome covers. The design is, we believe, from the

hand of the master, who had a pretty taste for armory, and showed, in a famous disquisition on that subject, that it is unnecessary for a preacher to understand his text. The arms upon this Ruskin shield are, as we are told by one of the editors, taken from a grant of arms to Mr. Ruskin's father in 1845 or thereabouts. The shield bears a cheveron between six spearheads, an odd and unusual arrangement, with three crosslets of uncertain form upon the cheveron.

* * *

Something in the appearance of this shield suggests that the elder Ruskin had been made, after the approved fashion of official armory, a cadet of some older family than his own. As the family of Mr. Ruskin begins with his grandfather, a calico merchant in Edinburgh, it is at least instructive to note the pedigree upon which it was officially decided to graft him. In Leicestershire, which is quite a long way from Edinburgh, and in the fifteenth century, which is a long way from 1845, there dwelt one William Ruskin. He was of Melton Mowbray and was husband of Elizabeth Beler, heir of her brother John Beler in 1475. They had a son Jasper, and Jasper had daughters, one of whom carried the Ruskin arms as a quartering to the Lacys of Halifax. Those arms were the cheveron and six spearheads, and this was the shield which, with the difference of three charges on the cheveron, as for a younger branch, was assigned to a Scots wine merchant in 1845. But official heraldry, as Mr. W. P. W. Phillimore comes to remind us, is 'a living science, and far more concerned with the twentieth century than with the archaic survivals of the fifteenth.'

* * *

Sir Conan Doyle and Sir Nigel Loring have not yet led their White Company out of danger. Sir Ralph Payne-Gallwey, archer and antiquary, is making a mark of their bowmen. To him, as an expert, the shooting match between Aylward and the crossbowman is 'simply amazing in its details'; and Aylward's final shot of 600 yards is marked by Sir Ralph with a bold note of exclamation. Eight White Company archers cut in eight shots the hempen cable of a large vessel at her moorings, the eight shots striking each within a quarter inch of one another, and that at 200 paces.

Of Aylward we may truly say—

Such archers as he and his men
Shall England never see again.

And Sir Ralph does not disguise his belief that England has never at any time rejoiced in the sight of such archers as were Aylward and his friends by their own report. But when Sir Ralph goes on to hint that Sir Conan does not understand how to wind up his crossbow, and that bolt shooting crossbows do not need the double string with which Sir Conan fits them, we recall some earlier criticism of the White Company's equipment, which criticism was blamed as 'niggling.'

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